

## LEGISLATIVE HAPPENINGS TUNA-DOLPHIN LEGISLATION DECISIVELY PASSES HOUSE

Legislation to amend the Marine Mammal Protection Act to support the International Dolphin Conservation Program (HR 408) in the eastern Tropical Pacific passed the House decisively 262-166 on May 21<sup>st</sup>. It followed a spirited debate that had many Democrats opposing the bill such as House Minority Whip David Bonior (MI) and Rep. George Miller (CA), Ranking Resources Committee Democrat. The Administration continues to support passage of the legislation in order to implement the Declaration of Panama, signed in October, 1995, by 13 nations, including the United States. Under this legislation, the voluntary International Dolphin Conservation Program (ICDP), established by the LaJolla Agreement in 1992 and administered by the Inter-American Tropical Tuna Commission (IATTC), will become an internationally binding instrument with more aggressive mortality limits and restrictions to protect dolphins in the Eastern Tropical Pacific Ocean (ETP). Implementation of the Declaration of Panama is dependent on the U.S. following through with its agreement to lift current embargoes against nations adhering to the IDCP, modifying the "dolphin safe" label to a performance standard (no observed mortality) versus the current gear-based standard (no intentional chase or encirclement), and allowing dolphin-set yellowfin tuna to enter the U.S. market.

In floor debate, Resources Committee Chairman Rep. Don Young (R-AK) said: "If we really, truly believe in conservation and believe in saving the dolphins, and I have probably been in this argument and the discussion longer than anybody on this floor, this is a piece of legislation that must pass. It is our belief, after studying the results of scientists and other people that contributed testimony to the committee, that it is not just the dolphins we are talking about in the sea, we are talking about other species now that will be caught if we do not sign this agreement with the other countries participating."

A letter to Rep. Wayne Gilchrest (R-MD), the bill's chief sponsor, from Vice President Al Gore, said, in part, that: "In recent years, dolphin mortality in the Eastern Tropical Pacific tuna fishery has been reduced far below historic levels. The bill will codify an international agreement to lock these gains in place, further reduce dolphin mortality and protect other marine life in the region. This agreement was signed in 1995 by the United States and 11 other nations, but will not

take effect unless the Congress acts on HR 408."

Rep. Brian Bilbray (R-CA), who represents the LaJolla area, said: we all remember the gross and graphic photos of dolphins being pulled up in nets and being dragged down. I would ask us all to remember, please remember, that the graphic photo was not of an American tuna boat. It was of a foreign tuna boat. We can vote no on this proposal and act like we have washed our hands of the responsibility, but if we walk away from an international agreement to finally make the rest of the world responsible for addressing this problem with us, we will be walking away from an opportunity to save those dolphins for the future."

The bill's opponents were led by Rep. George Miller (CA), Ranking Resources Democrat, who said, in part, "that the reason we are here is because we fully understand what is attempting to be done in this legislation; that is, to go from the current dolphin kill of 2,400 up to 5,000 with the intent of zero. I appreciate the intent to zero. The 5,000 is not in the law. That is an agreement. That is a voluntary agreement that we have. The other thing that we know is not real about this is, again, there is an intent to reduce bycatch but there is no requirement that the bycatch be reduced." The Committee amendment which passed contains more specific bycatch language offered by Rep. Abercrombie.

In remarks inserted into the Record, Rep. Neil Abercrombie (D-HI), said that "the measure also narrows the definition of 'dolphin safe' so that the only excludable tuna would be that which" involved the killing of dolphins during the fishing operation. It would, however, "allow unlimited harassment of dolphins. Mexico and other nations want this provision so that their tuna will be bought by unsuspecting Americans who trust that the tuna was caught without harassing dolphins. Mexico and other nations know the American consumer will not tolerate the slaughter of dolphins. This is why the U.S. tuna canning industry adopted the dolphin-safe label in the first place. Without a dolphin-safe label on tuna, consumers will not buy it. We should not change the definition without scientific evidence."

The Under Secretary for Oceans and Atmosphere Dr. D. James Baker testified (on the Legislative Affairs Webpage) in favor of the Senate counterpart bill (S 39) before the Senate Commerce Committee on May 14<sup>th</sup>. Sen. Barbara Boxer (D-CA) appearing before the panel vowed once again to try to block passage of the bill in the Senate as she did in the 104<sup>th</sup> Congress.

.....  
**For a full transcript of the House floor debate on HR 408 access the NOAA Legislative Affairs Homepage Website: <http://www.noaa.gov/noaa-ola>**  
.....

*Continued on page 2*



*Continued from page 1*

## **HOUSE RESOURCES COMMITTEE MARKS UP BILL AUTHORIZING CERTAIN NOAA PROGRAMS**

The House Resources Committee (Chairman Don Young, R-AK) on June 11th reported HR 1278, "The Oceanographic and Atmospheric Research Authorization Act of 1997," authorizing certain NOAA programs for FY '98 and '99. Earlier versions of the bill were reported by the Fisheries Conservation, Wildlife and Oceans (FW&O) Subcommittee of Resources on May 22nd, and by the House Science Committee April 16th.

The full committee adopted one amendment, by Rep. Ken Calvert (R-CA), to the bill as reported May 22nd by the (FW&O) Subcommittee. The Calvert amendment reduces authorized funding levels to those previously reported by the Science Committee for Executive Direction and Administration (\$18.2 million in FY '98 and \$17.3 million in FY '99, compared to the Administration request for \$19.9 million), and for Central Administrative Support (\$31.3 million in FY '98 and \$29.7 million in FY '99, compared to the Administration request for \$32.3 million).

Senate Commerce Committee Chairman Sen. John McCain (R-AZ) has indicated his strong desire to enact a comprehensive NOAA authorization this year.

## **HOUSE RESOURCES SUBCOMMITTEE REASSERTS JURISDICTION MARKUP OF NOAA AUTHORIZATION**

The House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee (Chairman James Saxton, R-NJ) marked up the FY '98 and '99 NOAA Authorization (HR 1278) on May 22<sup>nd</sup>. Originally called "The National Oceanic and Atmospheric Administration Authorization Act of 1997," it is substantially different from the version of the same bill that was reported out of the House Science Committee on April 16<sup>th</sup>.

The Resources Subcommittee version strikes all provisions of the Science Committee bill over which Resources asserts exclusive jurisdiction such as the NOAA Corps, fleet, navigation-related programs, coastal and estuarine monitoring and assessment, data acquisition for the National Ocean Service; authorizes an additional \$2 million for Arctic research, plus another \$2 million to the Ocean and Great Lakes Research authorization; funds Office of Oceanic and Atmospheric Research data acquisition at \$15.4 million compared with \$12.9 million in the Science Committee report; and funds Executive Direction and Administration, and Central Administrative Support, at FY 1997 actual levels. The Subcommittee also renamed the bill as "The Oceanographic and Atmospheric Research Authorization Act of 1997," noting that the bill does not address numerous programs that are under Resources jurisdiction.

Funding for Global Observations to Benefit the Environment (GLOBE) was restored through an amendment offered by the Ranking Subcommittee Democrat, Rep. Neil Abercrombie (HI). Even though it had been included in the Science Committee bill (see story below) it had been removed from the proposed Resources Committee substitute.

## **HOUSE SCIENCE COMMITTEE AGREES TO RESTORE FUNDING AUTHORIZATIONS FOR UNDERSEA RESEARCH AND GLOBE PROGRAMS**

The House Science Committee (Chairman James Sensenbrenner, R-WI) on April 16th provided funding for most of NOAA's programs at, or near, the President's requested levels for FY '98. The Committee authorizes NOAA's atmospheric and marine research programs that fall under the Committee's jurisdiction. Democrats, led by Ranking Democrat Rep. George Brown (CA) and Rep. Sheila Jackson Lee (TX) moved to restore authorizations for two important programs: Global Observations to Benefit the Environment (GLOBE) at \$7 million and the National Undersea Research Program (NURP) at \$5.2 million. Also of great help was Rep. Curt Weldon (R-PA), a long time supporter of NOAA programs. Chairman Sensenbrenner agreed to restore the programs. Rep. Tom Coburn, R-OK, amended the bill to require NOAA to use \$22 million in previously appropriated and unused funds for the Advanced Weather Interactive Processing System (AWIPS).

The bill authorizes \$1.51 billion in fiscal 1998 and \$1.66 billion in fiscal 1999 for NOAA programs, including the National Weather Service; atmospheric programs; the National Environmental Satellite, Data and Information Service; National Ocean Research and Oceans and Great Lakes Research; and authorizes NOAA to participate in the National Oceanic Partnership Program.

## **THE COMMERCE DEPARTMENT TRANSMITS NOAA CORPS DISESTABLISHMENT ACT TO THE HILL**

On May 22<sup>nd</sup>, the Commerce Department transmitted legislation to the House and Senate leadership to disestablish the NOAA Corps. Entitled "the NOAA Corps Disestablishment Act" the draft bill would implement a recommendation made by the Vice President's National Performance Review. The Department states that the legislative proposal would result in a net savings to the Federal government of \$24.6 million from Fiscal Years 1998-2002. Its submission fulfills the requirements of the Fiscal Year 1997 Omnibus Appropriations Act (PL 104-134).

Essential NOAA Corps functions would be assumed by civilianized positions. NOAA estimates that at the time of disestablishment on October 1, 1997, there will be 290 officers within the Corps. That 170 of these officers will be eligible for conversion to civilian service and 120 will retire. NOAA will determine how many of the 120 vacancies created by retirement need to be filled. Officers with less than 15 years service will be encouraged to convert to civilian status through a "conversion payment" greater than the payment the officer would receive if involuntarily separated. Officers with more than 15 years service will be retired, but will be eligible to compete for advertised vacancies. Additionally, the NOAA Corps retirement program will be transferred to the Navy.

*Continued on page 3*

*Continued from page 2*

## **STRIPED BASS LEGISLATION REPORTED OUT OF RESOURCES SUBCOMMITTEE**

The Resources Fisheries Conservation, Wildlife, and Oceans Subcommittee (Chairman James Saxton, R-NJ) reported striped bass conservation legislation (HR 1658) on May 22<sup>nd</sup> that would require East Coast states to comply with a management plan for limiting catch of the fish. The bill calls for increased public input in the preparation of striped bass management plans, and a study of the fish population and how the species may be affected by environmental changes. Chairman Saxton, said the program has been successful in restoring stocks of the Atlantic striped bass that were severely depleted in the 1970s. Under HR 1658, spending for the study could not exceed \$800,000 in each of fiscal years 1998, 1999 and 2000.

## **BOEHLERT AMENDMENT TO MAINTAIN INTEGRITY OF ENDANGERED SPECIES ACT PASSES BY 31 VOTES—BILL IS THEN PULLED FROM FLOOR**

An amendment to maintain the integrity of the Endangered Species Act (ESA) offered by Reps. Sherwood Boehlert (R-NY) and Vic Fazio (D-CA) to HR 478: The "Flood Prevention and Family Protection Act of 1997," passed 227-196 on May 7th. Immediately following the vote, the bill was pulled from the House floor by the Republican leadership without explanation. The base bill would have waived the Endangered Species Act (ESA) review for federal and non-federal entities when building, operating, maintaining or repairing flood control projects. The amendment that passed would have waived ESA review for flood project repairs in areas that had been declared federal disaster areas or where failing to do so posed a substantial threat to human life or property. Bill supporters, led by Resources Committee Chairman Don Young (R-AK) argued against the amendment, saying it did nothing beyond current federal law. But environmentalists, led by Boehlert and Rep. George Miller (D-CA), charged the bill was an attempt to gut the ESA and had little to do with helping flood victims.

The amendment, supported by the Administration, provided for waivers of the Endangered Species Act consultation regulations for repair or replacement of flood control projects in counties declared federal disaster areas through 1998 and waived the consultation requirements for repairs to any project that presented a substantial threat to human lives and property. During the course of the emotional debate National Marine Fisheries Service efforts to save endangered Pacific and Sacramento River salmon were mentioned by a number of members. Rep. John Dingell (D-MI), who helped write the original ESA said "the great runs of salmon will become cold, hard history" if the Boehlert amendment failed. Rep. Michael Forbes (R-NY) said without the amendment salmon recovery efforts would be more difficult. Rep. Sam Farr (D-CA) said an un-amended HR 478 would adversely affect Sacramento River water flows and the need to maintain cool temperatures to preserve endangered fish (winter-run chinook). Without the amendment HR 478 would harm the commercial fishing industry who depend on adequate water flows. Rep. Elizabeth Furse (D-OR) read a letter from a Pacific Coast commercial fishermen

who called the bill "a license to kill" the nation's aquatic resources such as salmon. The Oregon Democrat said the bill also would be a "license to kill jobs in my state." Rep. John Doolittle (R-CA) called NOAA's National Marine Fisheries Service (NMFS) "bureaucrats" who provided "extreme interpretations of ESA (together with the U.S. Fish and Wildlife Service)."

## **THE BUDGET RESOLUTION CONFERENCE REPORT ADOPTED BY THE HOUSE AND SENATE; FUNCTION 300--INCLUDING NOAA--PROTECTED**

The House and the Senate on June 5th adopted the Conference Report (HRpt. 105-116) accompanying the blueprint for balancing the federal budget by 2002 (HConRes 84). The agreement is the result of four months of negotiations between congressional Republicans and the White House. The Congressionally-passed resolution does not have to be submitted to the President, but provides instructions for Congressional committees that will write specific legislative language manifesting the spending cuts, entitlement curbs and tax provisions implementing the broader budget deal.

The agreement specifically lists Function 300--the Natural Resources and Environment account which includes NOAA "**as a priority in the Bipartisan Budget Agreement.**" The House receded to the Senate for the following language: "Discretionary spending in 1998 for this function **increases** by \$0.6 billion in Budget Authority and **increases** by \$0.3 billion in outlays above the Budget Resolution Baseline, to \$22.8 billion in Budget Authority and \$21.4 billion in outlays. **Over the five year period, discretionary spending decreases to \$21.2 billion in Budget Authority and \$21.5 billion in outlays in 2002.** The Senate amendment (which the House accepted) assumes total discretionary spending of \$109 billion in Budget Authority and \$108.3 billion in outlays over the five year period." This would be the cumulative total.

*The also protects the President's Fiscal Year 1998 funding request for the program to restore the Florida Everglades and Florida Bay. NOAA plays a major role in this inter-agency program.*

## **SUPPLEMENTAL APPROPRIATION CONFERENCE REPORT AND IMPACT ON NOAA**

The following are items within the House and Senate passed Conference Report (S.Rept. 105-119) to accompany HR 1469, the Fiscal Year 1997 Emergency Supplemental Appropriations Act. The Report was adopted by the House on June 5<sup>th</sup> by 220-201 and by the Senate the same day by 67-31. The President vetoed the bill on June 9th. At press time, the Congress was expected to pass another version of this legislation, presumably resolving the contentious items in the current version, such as the census provision and government shutdown language. The NOAA portion of the vetoed bill included these provisions:

--\$10.8 million for repair of fish hatcheries along Columbia River. The affected areas were part of the region declared a disaster area by the President. No further request of the Ad-

*Continued on page 4*

*Continued from page 3*

ministration needs to be made in order for the funds to be released.

--Good Samaritan rule (to protect lobstermen from violating the Marine Mammal Protection Act if they free a right whale caught in lobster lines). Establishes both a "reasonable care" rule for the taking of a marine mammal and a "within 48 hour" rule for notification to the Secretary of such a taking.

--\$7 million for various fisheries related programs.

--\$2 million for North Pacific fisheries issues.

--\$41 million is made available for reprogramming

-- Endangered Species Act waiver for projects in flood areas. "Formal consultation or conferencing...may be deferred...if the Agency determines that the repair is needed to respond to an emergency causing an imminent threat to human lives and property in 1996 or 1997." Deferral remains in place until the "imminent threat...has been abated." This is the Senate provision supported by the Administration.

-- National Weather Service: Directs NOAA to work with Members on plans for its regional headquarters to resolve them and take into account "any forthcoming GAO report and recommendations concerning this issue while remaining within the existing financial plan for the current and succeeding fiscal years."

The Conference Report eliminates the \$2 million rescission in the House bill from the fleet modernization, shipbuilding and conversion account.

## HOUSE PASSES CORAL REEFS RESOLUTION UNDER SUSPENSION OF THE RULES

The House, under the Suspension Calendar, passed HConRes 8 on April 23rd. The resolution expresses the sense of Congress to protect and conserve coral reefs, and a commitment to: promote stewardship of coral reef habitats; encourage research, monitoring, assessment and education about reef ecosystems; and improve the coordination of coral reef activities among federal agencies, academic institutions, nongovernmental organizations and industry. Passage took place during The International Year of the Reef. The bill has now been sent to the Senate Commerce, Science, and Transportation Committee.

The resolution proposes no changes to existing law. Congressional support for HConRes 8 is bipartisan. Both the chairman and Ranking Democrat on the Resources Fisheries, Wildlife and Oceans Subcommittee, Rep. James Saxton (R-NJ), and Rep. Neil Abercrombie (D-HI), respectively, spoke on behalf of the resolution on the House floor. The resolution includes references to coral reef resources in Georgia, Texas and the Commonwealth of the Northern Mariana Islands; makes specific reference to U.S. involvement in the International Coral Reef Initiative; and recognizes the protective aspects of coral reefs to include threats to human life and property.

Acting Assistant Secretary for Oceans and Atmosphere

Terry Garcia testified at a March 13<sup>th</sup> subcommittee hearing, that NOAA has been an important contributor to the design and implementation of the U.S. Coral Reef Initiative. Mr. Garcia said that NOAA has supplied \$1.2 million from FY '96 base funds to support 42 new projects addressing coral reef priorities.

## NATIONAL SEA GRANT AUTHORIZATION BILL SCHEDULED FOR HOUSE ACTION ON JUNE 17TH

The Sea Grant bill was temporarily pulled from the House schedule for June 11<sup>th</sup> and rescheduled for debate under an "open rule" on June 17<sup>th</sup>. The delay was caused by unanticipated extended debate on the State Department authorization bill.

A substitute Sea Grant bill (HR 437) in the form of an amendment was placed in The Congressional Record by House Resources Fisheries Conservation, Wildlife and Oceans subcommittee Chairman James Saxton, R-NJ on June 10<sup>th</sup>. It is called the National Sea Grant College Program Act of 1997. The substitute amendment resulted from discussions between the staffs of the Resources and Science Committee. The Rules Committee (Chairman Gerald Solomon, R-NY) decided on June 10<sup>th</sup> that the Saxton substitute would supercede another version of the same bill reported out of the Science Committee. It provided for an open rule with one hour of debate on the substitute.

The Saxton substitute provides an FY '98 authorization at \$54.3 million, FY '99 at \$55.4 million, '00 level at \$56.5 million. The President's request for FY '98 is \$50.182 million. The substitute also directs that up to \$2.8 million annually be made available from the authorized funding ceilings for competitive grants for university research on the zebra mussel program. It additionally provides up to \$2 million for oyster disease research. The bill orders the Secretary of Commerce within six months of enactment to establish merit review guidelines of grants and contract proposals from Sea Grant institutions.

The substitute amendment dropped several significant changes included in the Science Committee substitute including repealing the postdoctoral Knauss Fellowship program and Buy American provisions. It also reverted to a three-year authorization and recommended funding levels originally recommended by the Resources Committee, instead of the five years added in the Science Committee bill. The requirement that Sea Grant Institutions be "recognized for scientific excellence" inserted by the Science Committee was also deleted in the substitute bill. A Senate Sea Grant bill will be marked up June 19<sup>th</sup> in the Commerce Committee (Chairman John McCain, R-AZ) following an Oceans and Fisheries Subcommittee (Chairman Olympia Snowe, R-ME) mark up.

### LEGISLATIVE HOMEPAGE ON-LINE

The NOAA Legislative Affairs homepage includes staff listings, hearing and markup schedules, official texts of delivered testimonies, transcripts of NOAA-related House and Senate floor debates and back issues of the *NOAA Legislative Informer*. The Homepage can be accessed at <http://www.noaa.gov/noaa-ola>

*Continued on page 5*

Continued from page 4

## NOAA ATMOSPHERIC HAPPENINGS

### MARK TRAIL COMIC STRIP CHARACTER NAMED CAMPAIGN SYMBOL FOR NOAA WEATHER RADIO PROGRAM

Nationally-syndicated comic strip character Mark Trail will serve as the campaign symbol for educating the public about the National Weather Service's NOAA Weather Radio program, NOAA and King Features Syndicate announced on April 16th. "I hope that Mark Trail will encourage people across the country to get early warnings of severe weather by having a NOAA Weather Radio," said Mark Trail illustrator/writer Jack Elrod of Atlanta.

The announcement was made during a conference in Washington, D.C., focusing on the direction NOAA's National Weather Service will take for disseminating weather information, forecasts and warnings through NOAA Weather Radio and new telecommunications technologies. A color poster of Mark Trail holding a typical NOAA Weather Radio was unveiled during the announcement. The poster headline reads "Mark Trail Champions NOAA Weather Radio," and Mark is pictured saying "NOAA Weather Radios should be as common in homes and public places as smoke detectors."

In the past two years, several Mark Trail full-color Sunday strips have focused attention on weather-safety issues, including flash floods, tornadoes and hurricanes, and the value of having NOAA Weather Radio receivers to get severe weather warnings quickly. The Assistant Administrator for Weather Services, Dr. Elbert (Joe) W. Friday Jr. praised the public education contributions of Elrod and King Features.

"Mark Trail has rendered an invaluable public service by drawing attention to the dangers associated with flash flooding, tornadoes and hurricanes," said Dr. Friday. He also credits Elrod and King Features for giving national attention through Mark Trail to NOAA Weather Radio, "one of the biggest public safety 'secrets' in the United States."

The Mark Trail strip is syndicated by King Features in more than 175 newspapers, with an estimated readership of about 35 million people. "King Features is pleased to team up with NOAA and the National Weather Service to help educate people about how they can stay safe and get immediate warnings of hazardous conditions by having a NOAA Weather Radio," said King Features spokesperson Claudia Smith.

Elrod, who since 1950 has been associated with the outdoors strip known to generations of Americans, said he's always had an interest in weather. He shares a pretty common experience with many NOAA scientists who have been forecasters in the military -- Elrod was a Navy weather forecaster in the Pacific.

### DOPPLER RADAR "DOME-UP" IN NORTHERN ALABAMA

The National Weather Service's (NWS) newest radar has been installed at Hytop, Alabama. The dome was raised dur-

ing a special ceremony at the site on April 25th, a picture perfect Spring day in northeast Alabama. On hand to celebrate the system's dedication were Reps. Bud Cramer (D-AL) and Zach Wamp (R) of Tennessee. Also present were Lou Boezi, the NWS's Deputy Director for Modernization. Proclamations declaring the date "National Weather Service Day" were delivered by representatives of Alabama's Governor Fob James and Jim McCamy, the Emergency Management Coordinator for Jackson County. The nationally acclaimed Scottsboro High School Band enhanced the festivities by playing a wide selection of patriotic songs. At precisely 12:30 p.m. a crowd of more than 250 watched intently as the dome on the last WSR-88D to be installed in the south was flawlessly placed atop its 90 meter tower. The radar is expected to be fully operational on July 11th and will provide much needed supplementary coverage to areas of northern Alabama, south-east Tennessee and northwest Georgia.

**For pictures of the Hytop dome raising please go to the NOAA Legislative Affairs Homepage at <http://www.noaa.gov/noaa-pla> The photos are courtesy of the office of Rep. Bud Cramer.**

### STUDY REFUTES UV RADIATION DECREASE DURING THE 1980'S

A new study published in the April 20 issue of the *Journal of Geophysical Research* says that there is no clear evidence that UV radiation decreased in the 1980's as had been previously reported in a 1988 *Science* paper. Available measurements seem, instead, to support a slight increase in potentially harmful UV radiation over the mid-latitudes during the 1980's. E.C. Weatherhead, a researcher in NOAA's Air Resources Laboratory (ARL) in Boulder, CO, and colleagues from the University of Wisconsin and University of Chicago, conducted a three-year study in which data measured at 14 ground stations were analyzed. The new analysis made use of available information on cloud cover, ozone and temperature as well as a variety of other atmospheric data. **It shows that UV was increasing during the 1980's and is continuing to do so.**

UV radiation has a major impact on the environment and on human health. It contributes to cataract formation, skin damage and cancer as well as suppression of the immune system. The previous study published in 1988, sponsored by the National Cancer Institute (NCI), reported a decline in UV radiation during the time period 1974-1985.

Weatherhead's analysis disputes that conclusion. According to Weatherhead, "it is likely, based on ozone and cloud measurements, and on our present understanding of the instruments, that UV was increasing over the continental United States by a few percent in the 1980's and has continued to increase in the 1990's."

UV levels are supposed to reach their maximum in the next decade when ozone is expected to reach its minimum. The ozone layer shields the Earth from the harmful effects of UV radiation, but it has been thinning due to human activity, and it will continue to do so until sometime in the next century.

Continued on page 6

*Continued from page 5*

Under increased UV levels, higher costs are incurred in terms of human health, environmental stress and medical expenses. Sun avoidance is particularly important for children and those whose immune systems may already be stressed, such as AIDs patients. **The few hours around noon contain almost half of the daytime dose of UV.** The National Weather Service presently produces a UV index to educate the general public on expected levels of UV radiation.

## **ARCTIC ENVIRONMENT THREATENED, SAYS INTERNATIONAL REPORT**

Ozone depletion, ultraviolet radiation, climate change and human-caused pollutants pose a more serious threat to the pristine environment of the Arctic than previously believed, according to a report from the eight-nation Arctic Monitoring and Assessment Program.

"The report reveals serious gaps in our present knowledge, which prevent us from making firm predictions on how the Arctic will respond to future changes," said E.C. Weatherhead, editor and lead author of the report's chapter on climate change, ozone and UV radiation. Weatherhead, NOAA's Air Resources Laboratory in Boulder, CO, suggested that present international resources to study climate change and UV radiation in the Arctic may not be adequate to provide the knowledge needed to preserve the region as we know it today.

"This report reveals serious gaps in our present knowledge, which prevents us from making firm predictions on how the Arctic will respond to future changes," Weatherhead said. She indicated that current international resources to study climate change and UV radiation in the Arctic may not be adequate to provide the knowledge needed to preserve the Arctic as we know it today.

According to Weatherhead and her colleagues, the climate of the Arctic can influence the rest of the earth by increasing sea level through glacial melt, and by altering oceanic circulation which is responsible for transporting colder water from the Arctic to lower latitudes. The authors of this chapter also believe that recent increases in surface UV in winter and spring are adversely affecting ecosystems, and human health in the Arctic.

"Eye damage and weakening of the immune system are of particular concern to people living in the Arctic because of the difficulties and cost associated with obtaining medical care," Weatherhead said.

## **EXPERIMENTAL MODEL FORECASTS CONDITIONS IN 8 WESTERN STATES EVERY 10 KILOMETERS**

The National Weather Service (NWS) has begun testing a new experimental computer model that will assist forecasters to predict weather conditions across the western United States with more detail than ever before. The model, known as the Eta-10, allows forecasters in 24 modernized National Weather Service offices in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah and Washington to monitor the development of weather systems down to a 10 kilometer grid.

"The experimental Eta-10 model represents an evolution in

weather forecasting," said Ronald D. McPherson, director of the NWS' National Centers for Environmental Prediction (NCEP). "By looking at weather systems in such a small area, forecasters can get more details of the weather conditions impacting the local community."

The NWS Western Region was selected for test because it encompasses a wide variety of climatic areas within the eight state region. The western United States includes many terrain features, especially mountain ranges, which affect weather conditions. Testing the models at desert, coastal and high altitude sites will also help forecasters analyze high resolution grid models. The NWS Western Region is headquartered in Salt Lake City.

"Forecast office evaluations have shown that the Eta-10 model produces improved precipitation forecasts in the mountains," said NWS Western Region Scientific Services Division Chief Andy Edman. "A typical storm in the West can generate varying precipitation amounts ranging from a few sprinkles in protected valley areas to several inches of rain in high mountain basins. The Eta-10 forecast model often captures this important variation of precipitation, which can lead to improved flood forecasts."

## **FORECASTERS GAIN ABILITY TO MORE ACCURATELY PREDICT HURRICANES AND WINTER STORMS**

Weather forecasters will be able to more accurately predict the path and intensity of hurricanes, winter storms and other weather systems that form over the world's oceans with data obtained from the Japanese satellite ADEOS. Oceanic surface wind measurements of wind direction and speed will be used in numerical computer models, and will give forecasters another valuable tool. NOAA has now completed preparations to distribute this important information to meteorologists in various countries.

"The NSCAT dataset represents a major breakthrough in our ability to alert mariners of weather hazards at sea," said Jim Hoke, director of NOAA's Marine Prediction Center. "The high accuracy and spatial resolution of the data were quickly recognized by our forecasters, who have been starved for data over significant expanses of the world's oceans. We're looking forward to incorporating the data into our daily forecast and warning operations."

The wind information is from data observed by the NASA Scatterometer (NSCAT), built and managed by the Jet Propulsion Laboratory. The NSCAT instrument is carried on the Advanced Earth Observing Satellite developed, launched and operated by the National Space Development Agency (NASDA) of Japan.

## **EARLY STAGES OF EL NIÑO/SOUTHERN OSCILLATION APPEAR IN TROPICAL PACIFIC**

The evolution of the atmospheric and oceanic conditions in the tropical Pacific during the past few months are early indications of warm episode (El Niño) conditions, according to a special El Niño/Southern Oscillation Diagnostic Advisory issued by NOAA's Climate Prediction Center.

*Continued on page 7*

*Continued from page 6*

Several of the forecast models for El Niño supported by NOAA, including the ones at the Climate Prediction Center, predicted the onset of a warm event already late in 1996. The models indicate continued warming through 1997.

El Niño is an abnormal state of the ocean-atmosphere system in the tropical Pacific having important consequences for weather around the globe. Among these consequences are increased rainfall across the southern tier of the United States and in Peru, sometimes resulting in destructive flooding and drought in northeast Brazil, southeastern Africa, and in the western Pacific. Better predictions of extreme climate episodes like floods and droughts could save the United States billions of dollars in damage costs.

Predicting the onset of a warm or cold phase is critical in helping water, energy and transportation managers, and farmers plan for, avoid or mitigate potential losses. Advances in improved climate predictions will also result in significantly enhanced economic opportunities, particularly for the national agriculture, fishing, forestry and energy sectors, as well as social benefits.

### **1997 HURRICANE SEASON BEGINS; NOAA'S NEW HURRICANE JET EXPECTED TO IMPROVE HURRICANE FORECASTS**

Senior officials from the National Oceanic and Atmospheric Administration marked the beginning of the 1997 hurricane season today by introducing the newest high-tech tool in the hurricane forecasting arsenal of the National Weather Service (NWS) - a high-altitude Gulfstream-IV jet that is expected to improve landfall and intensity forecasts by up to 20 percent.

The specially equipped jet - the first of its kind in the world -- was unveiled at NOAA's annual hurricane season kick-off press conference, held this year at NOAA's Aircraft Operations Center at MacDill Air Force Base in Tampa, Fla. It will begin hurricane surveillance operations during this year's season, which runs from June 1 through Nov. 30.

"The Secretary of Commerce and NOAA have made a commitment to create the best weather service in the world through modernization - an effort that has already resulted in significant improvements in public service and hurricane safety preparedness," said Dr. D. James Baker, Undersecretary for Oceans and Atmosphere and NOAA administrator. "With NOAA's G-IV jet -- the newest element in weather service modernization -- NOAA forecasters will for the first time have atmospheric data at high altitudes where steering currents direct the motion of hurricanes."

"In Florida and the Gulf and Atlantic coastal states, the use of new hurricane prediction models by the National Hurricane Center that include 'hurricane hunter' research data have reduced the errors in 24-hour landfall forecasts by more than 25 miles in the past three years alone," NWS Director Elbert W. Friday, Jr. said. "For every mile we don't have to 'overwarn' and evacuate, we save as much as \$1 million. We expect the new G-IV jet to improve this forecasting accuracy even more."

According to Jerry Jarrell, deputy director of the National

Hurricane Center, increasing coastal populations have put more people at risk during hurricanes, and that barrier islands are especially vulnerable to rapidly rising waters known as storm surge. "No matter how vital technology, emergency management procedures and disaster assistance are before, during and after the storm, people should remember that they are ultimately responsible for preparing for their own safety and protecting their own property. This is a message that must not be lost in the wake of new technology."

The G-IV jet will be housed with NOAA's P-3 hurricane hunter aircraft at the Aircraft Operations Center and flown by pilots of the NOAA Corps, the agency's commissioned service. AOC is managed by the Office of NOAA Corps Operations. AOC engineers are responsible for maintaining and designing modifications for NOAA's aircraft.

### **NOAA CO-HOSTS SOUTH AFRICAN CONFERENCE TO BENEFIT WATER RESOURCE MANAGEMENT WORLDWIDE**

Water-related catastrophes such as droughts and floods have historically caused tremendous environmental and economic losses as well as human suffering and death. To address this, NOAA co-sponsored a ministerial meeting held April 14th-16th in Pretoria, South Africa, to discuss weather and climate-based technologies that could benefit water resource management worldwide.

This workshop brought together international scientists in the fields of atmospheric sciences, hydrology, meteorology and climatology together with water resource managers to examine available options to address the issue of effective and efficient water resource management to meet increasing demands. Statistics show globally that out of every three people affected by natural disasters, two are affected by disasters related directly to water. Effective water resource management is rapidly becoming of critical importance on a global scale as populations continue to grow. NOAA's National Weather Service has already successfully transferred its hydrologic (river) forecasting technology to Egypt for the Nile River, where advanced knowledge of available water is the life blood for Egyptians. In China, the National Weather Service implemented its Advanced River Prediction System on the Huai River, which experienced severe flooding this past summer.

### **TSUNAMI MAPPING CENTER OPENS AT HATFIELD MARINE SCIENCE CENTER**

A new federal-state center opened May 17th at the Hatfield Marine Science Center in Newport, OR., will produce maps that will help local governments identify hazardous areas which can be evacuated during tsunami emergencies. The tsunami mapping center is a joint effort of NOAA, the Federal Emergency Management Agency, the U.S. Geological Survey, the National Science Foundation, and the states of Alaska, California, Hawaii, Oregon and Washington. The center will be staffed by two scientists, with an annual budget of \$200,000.

The center will begin mapping efforts this year in Washington  
*Continued on page 8*



*Continued from Page 7*

State in the areas of Gray's Harbor, Willapa Bay and Long Beach from Moclips to the Columbia River and in the Gold Beach and Astoria-Warrenton areas of Oregon in cooperation with the Oregon Graduate Institute of Science and Technology and the Oregon Department of Geology and Mineral Industries. Similar mapping work is expected to follow in Alaska and California in 1998 and in Hawaii in 1999.

A tsunami is a series of ocean waves that can be generated by earthquakes, landslides, volcanic eruptions and even meteorite impacts. They can cause catastrophic loss of life and property damage when they sweep over coastal areas.

"Because of the likelihood of earthquakes, communities along the entire west coast of North America, particularly Alaska and the area from northern California to Washington, as well as Hawaii and other Pacific islands, are under the constant threat of potentially devastating tsunamis," said Eddie Bernard, director of NOAA's Pacific Marine Environmental Laboratory in Seattle.

"The new mapping center will augment existing tsunami mitigation efforts by both the states and the federal government, including NOAA's Alaska and Pacific Tsunami Warning Centers that warn Alaska, California, Oregon, Washington and Hawaii of approaching tsunamis.

"NOAA has also begun the installation of a network of real-time tsunami detection buoys that will telemeter measurements of tsunamis in the deep ocean to U.S. coastal areas. We plan to deploy the first of these buoys off Alaska in July," Bernard said.

## **NOAA PLACES BEACH TEMPERATURES ON WORLD WIDE WEB**

Before you surf the waves at the beach this summer, surf the World Wide Web to find out just how warm or cold the ocean water might be.

Average water temperatures for the country's beaches are now on line, the NOAA announced on May 19th. NOAA's National Oceanographic Data Center in Silver Spring, MD., has placed the temperatures on line to provide useful information for planning beach activities such as swimming, fishing or surfing.

Water temperatures are given for beaches along the Atlantic Coast from Eastport, ME, to Key West, FL.; along the Gulf Coast from Key West to South Padre Island, TX; and along the Pacific Coast from Seattle, WA., to Scripps Pier, (San Diego) CA. Data for Puerto Rico, Bermuda and parts of Mexico are also included.

The water temperatures presented in NODC's Water Temperature Guide to Beaches in the United States are climatological averages based on observations from NOAA's tide stations and data buoys. These average water temperatures were computed from long-period records ranging from several years to several decades, depending on how long observations had been taken at a given station.

"Although ocean conditions vary from year to year, water

temperatures are less variable than air temperatures, so these averages can provide useful information for planning beach activities," said Henry Frey, director of the data center.

A link to the beach temperature site can be found on the NOAA Legislative Affairs Homepage at <http://www.noaa.gov/noaa-ola>

## **MICHAEL L. VAN WOERT NAMED NOAA DIVISION CHIEF**

Michael L. Van Woert has been named chief of a major research division at the National Oceanic and Atmospheric Administration. Van Woert is chief of NOAA's Oceanic Research and Applications Division, where he manages programs in ocean research and marine optics. The division is part of NOAA's National Environmental Satellite, Data, and Information Service based in Suitland, MD.

Dr. Van Woert came to NOAA from the Office of Naval Research, where he managed a program in Arctic research. Before that he managed the National Aeronautical and Space Administration (NASA)'s physical oceanography program as a visiting senior scientist. Before coming to the Washington, D.C., area, Van Woert spent ten years in industry developing commercial applications of ocean remote sensing.

Dr. Van Woert is a 1976 graduate of the University of California, Davis. He holds a Ph.D. in oceanography from Scripps Institution of Oceanography, University of California, San Diego. He has published numerous journal articles and is a member of: The Oceanography Society, American Geophysical Union, and the American Meteorological Society.

## **OCEANS REMOVE MORE OZONE-DEPLETING METHYL BROMIDE FROM ATMOSPHERE THAN PREVIOUSLY ESTIMATED, RESEARCH SHOWS**

New, possibly biological, oceanic mechanisms are involved in removing methyl bromide — an ozone-depleting chemical — from the atmosphere, suggests two recent research papers published by scientists at the National Oceanic and Atmospheric Administration. Based on this research, these scientists also believe that the atmospheric lifetime of methyl bromide is shorter than was previously estimated. Bromine, a chemical derived from methyl bromide, is estimated to be about 50 times more effective in depleting stratospheric ozone than the principal ozone-destroying chemical, chlorine.

The most recent study, published in the May 15, 1997 issue of *Geophysical Research Letters* by Shari Yvon-Lewis and James Butler of NOAA's Climate Monitoring and Diagnostics Laboratory in Boulder, Colo., incorporates previously reported data on presumably biological removal mechanisms into a global model of gas exchange between the ocean and atmosphere. The study suggests that the atmospheric lifetime of methyl bromide is even shorter than previously predicted. Butler, principal investigator of these studies, stated, "It now appears that loss of atmospheric methyl bromide to the ocean is just about as fast as oxidation in the atmosphere, which historically has been considered the predominant removal mechanism for methyl bromide."

*Continued on page 9*



*Continued from page 8*

In the earlier paper, scientists conducted a study of the high latitude waters near Antarctica and the atmosphere above them, determining that the ocean there removes methyl bromide from the atmosphere. It had previously been suggested that these waters, unlike most of the open ocean, could be a large source of methyl bromide. These results, published in the Jan. 15, 1997 issue of *Geophysical Research Letters* by Juergen Lobert from NOAA's CMDL, and co-authors, indicated that some mechanisms other than the known chemical removal processes were also responsible for degrading methyl bromide in seawater.

Yvon-Lewis and Butler said that according to their calculations, the lifetime of methyl bromide in the atmosphere is about 0.7 years. The calculated lifetime of methyl bromide has gradually declined from a high of 2.0 years in 1992 to the present figure as research in this topic has progressed. The researchers looked at 40 years of wind speed and ocean temperature measurements across the globe, as well as recent measurements of methyl bromide concentrations from research cruises and laboratory studies, to reach this conclusion. Unlike the chlorofluorocarbons (CFCs) and halons, which are entirely man-made, methyl bromide has both natural and man-made sources. Major human-related sources of this gas include biomass burning and fumigation of soils, produce and buildings. It appears that fumigation emissions may constitute 20-30 percent of all methyl bromide produced, but further research is being conducted to refine this estimate. Although there is some uncertainty, studies suggest that man-made methyl bromide is responsible for 3-10 percent of global stratospheric ozone destruction. It has been identified as a Class I ozone-depleting substance and its production is to be phased out in the near future according to current international agreements.

### **OBSERVATIONS, MODELS HELP EXPLAIN ATMOSPHERIC MIXING**

The mixing of air in the upper levels of the Earth's lower atmosphere, the roughly seven-mile thick surface layer called the troposphere, is the key to understanding many of the problems -- such as global climate change -- vexing atmospheric chemists, according to a NOAA scientist. In the current issue of *Science* magazine, J. D. Mahlman, director of NOAA's Geophysical Fluid Dynamics Laboratory in Princeton, N.J., examines many of the little understood mechanisms that control this mixing in the upper troposphere and the effects of this mixing on other atmospheric processes, including the impact of human sources of ozone and aerosols, the depletion of stratospheric ozone and the effects of emissions from subsonic aircraft.

"The upper troposphere is a transition zone separating the distinctly different chemistries of the stratosphere (the atmosphere 11-48 kilometers above the Earth's surface) from those of the lower troposphere. This region exchanges air with the stratosphere and the lower troposphere through various atmospheric transport processes," Mahlman explains.

"The effects of human-caused influences of ozone and aerosol concentrations in the upper troposphere are of current

interest because of their potential contributions to climate change. For example, the sharp ozone losses observed in the lower stratosphere can influence chemical and climate changes in the upper troposphere by means of transport across the boundary between the troposphere and the stratosphere," Mahlman said.

A north-south "stirring" of the atmosphere by cyclonic weather systems outside the tropics may also explain the sharp, meandering and intermittent mid-latitude jet stream system that can be seen separating cyclones and anticyclones in geostationary satellite images.

Although global, 3-dimensional mathematical model runs by Mahlman and others have improved weather forecasts and climate simulations, Mahlman points out the chemical models depend on limited data from a small number of focused field experiments and on long-term measurements of chemicals in the atmosphere, wind, atmospheric pressure and temperature from a few locations.

### **SCIENTISTS TO OBSERVE TORNADES WITH DUAL "DOPPLERS ON WHEELS"**

A team of government and university scientists will attempt to intercept tornadic storms in the southwest United States to make close-up observations using two Doppler radars mounted on flatbed trucks through June 10th, NOAA announced on May 16th. Their goal is to intercept at least one tornado and observe several tornadic storms that don't produce tornadoes to understand why. The radar data collected will give researchers a three-dimensional view of a tornadic storm and ultimately help improve NOAA forecasts and warnings of severe weather, and reduce false alarm rates.

The team will be based at NOAA's National Severe Storms Laboratory in Norman, OK., with principal scientists Erik Rasmussen of the NOAA-University of Oklahoma Cooperative Institute for Mesoscale Meteorology Studies in Norman, Jerry Straka and Josh Wurman of Oklahoma University and 20 laboratory and university student volunteers.

"This project, which we are calling 'Subvortex,' is a follow-up to the VORTEX project in 1994 and 1995, in which we intercepted 10 tornadoes and studied them close up using a suite of instruments, including Wurman's prototype Doppler on Wheels in the second year of the project," Rasmussen said. "The twin Dopplers that will be used in Subvortex will allow us to get high resolution radar coverage of tornado formation. We are especially interested in the little understood rear flank downdraft region of a tornadic storm because it may play a key role in transporting rotation to the ground."

The twin Dopplers on Wheels are unique truck-mounted research radars that can be positioned within a few kilometers of a tornadic storm to document in fine detail wind speeds and reflectivity. The radar scans the entire mesocyclone region (the area of rotating air) every 90 seconds, producing data that should provide major clues into how tornadoes form and persist.

*Continued on page 10*

*Continued from page 9*

## NOAA OCEANIC HAPPENINGS

### ADDITIONAL PUBLIC COMMENT SOUGHT ON INTERNATIONAL CODE OF CONDUCT FOR MARINE FISHING

In response to input from the public and industry, the National Marine Fisheries Service has improved its plan for implementation of an international code of conduct that promotes the use of sound marine fisheries management measures in national and international waters. NOAA announced that the new draft is now available for additional comment.

"We are seeking an implementation plan that provides a comprehensive ethic for the foreseeable future, and we want to ensure that we have the best document available," said Rolland Schmitten, fisheries service director. Adopted by the Food and Agriculture Organization of the United Nations in 1995, the code contains six general themes for fisheries management throughout the world's marine fisheries. Prior to its adoption, the United States had provided global leadership in the code's development. "The fisheries service intends to continue this leadership as we implement the code in the U.S.," Schmitten added.

Although most of the code is voluntary, it includes a binding compliance agreement that established a broad range of obligations for nations that have fishing vessels operating on the high seas, including the obligation to ensure that these vessels do not undermine international fishery conservation management measures. Nations must also prohibit their vessels from fishing the high seas without specific authorization, and must take enforcement measures against vessels that disregard those rules. The United States has already implemented the compliance agreement through the High Seas Fishing Compliance Act of 1995.

### NEW ENGLAND VESSEL BUYOUT BEGINS, NOAA CLOSES ON FIRST THREE VESSELS

NOAA began issuing three grants on April 18th under a Northeast vessel buyout program, NOAA announced. The program is designed to provide economic assistance to fishermen adversely affected by the collapse of the groundfish fishery, while helping fish stocks recover to a sustainable level.

"These three vessels represent the beginning of phase two of this important program that is designed to rebuild New England groundfish stocks and ensure opportunities remain for both a sustainable resource and a sustainable economy," said John K. Bullard, director of NOAA's Office of Sustainable Development. "The Administration is resolute on the economic recovery of this vital region, and the program is an integral part of that effort."

Mr. Bullard presented the grant proceeds to:

--Lady Laura Fishing Corp. owner of the **F/V Lady Laura**

Home port New Bedford, MA--about 20 meters' steel trawler built in 1967 and;

--Chris-Stam, Inc. owner of the **F/V Mantoudi**, Home port Boston-- 23 meters steel trawler built in 1979,

--Fairtry, Inc. owner of the **Fairtry**, Home port Portland, Maine,-- 23 meters steel trawler built in 1985

The successful grantees were selected from a total of 164 applicants. A total of 75 grants will be awarded as part of the \$23 million program. In June 1995, a pilot buyout program was established to test the effectiveness of vessel removal as a tool in the conservation and management of U.S. marine fisheries. The program was funded for \$2 million; 114 vessel owners applied (with a total value of bids of \$52 million). Out of those applications, 11 grants were awarded.

In August 1996, the Commerce Department launched the Fishing Capacity Reduction Initiative (FCRI), which committed \$23 million for a more comprehensive vessel buyout program for New England groundfish fishermen. This expanded program is based on the results of the pilot program and recent Congressional actions that removed a \$100,000 limit on financial assistance to fishermen.

The Fishing Capacity Reduction Initiative is similar to the pilot program with several modifications based on input from the pilot program. The chief difference is that the pilot program required mandatory scrapping or sinking of participating vessels, while the FCRI offers six potential functions for reuse that include research, training, education, humanitarian, safety or law enforcement. The boats can be transferred to either a U.S. public entity, a U.S. nonprofit organization, or a foreign national government. Before transfer, the vessel's Coast Guard document must have a permanent restriction prohibiting that vessel from ever holding a fishery endorsement.

After the vessel is transferred, it must be scrapped when it no longer serves the purpose for which it was transferred.

"Removing these vessels permanently is a very important part of the government's program to assist fishermen in getting out of the industry, and it will also help conserve this critical fishery resource," said Rolland Schmitten, director of the National Marine Fisheries Service. "The program is aimed at aiding, on a sustainable basis, an ailing fishing industry and the local economies, fishermen and families dependent on that industry."

### DECLINE OF STELLER SEA LIONS CONTINUES

Based on biological information collected since the Steller sea lion was listed as "threatened" under the Endangered Species Act in 1990, the National Marine Fisheries Service is reclassifying a population of Steller sea lions found in most of Alaska as "endangered," the agency announced on April 30th. The fisheries service will classify Steller sea lions in two distinct populations separated at a line near Cape Suckling, Alaska (144 degrees west longitude), with the western population classified as endangered and the eastern population (southeastern Alaska to California) remaining classified as threat-

*Continued on page 11*

*Continued from page 10*  
ened.

The reclassification is necessary because the number of Stellers in the western population has continued to decline since the 1990 classification of threatened. For instance, since 1994, the number of juvenile and adult Stellers has dropped by 18 percent in the Gulf of Alaska population alone. Pup counts at Alaska's largest rookeries fell by 40 percent between 1991-1994. Using current population models, fisheries service biologists predict there is nearly a 100 percent chance the western Steller sea lion population will be extinct in the next 65 to 100 years.

"Based on the best available scientific and commercial information available from independent groups and within the agency, reclassifying the western Steller sea lion as endangered is the right move," said Rollie Schmitt, director of the National Marine Fisheries Service. "Not only does the reclassification more accurately reflect the status of the western Steller population, but we will be able to protect and conserve the species more effectively by managing the two populations through individual population trends without losing sight of the overall trend for the species." To improve scientific and management data, the agency is organizing a workshop of outside experts in the coming year to design an experiment for assessing how well fishing area closure zones will benefit Steller sea lions without unnecessarily restricting the commercial fishing fleet. The agency will also prepare updated stock assessments that reexamine the estimated mortality rates incidental to commercial fisheries, and consider the next steps, if necessary, toward take reduction. In addition, the fisheries service will review the ongoing Steller sea lion program and look at developing an action plan for future research and management directions.

### **NOAA TO STRENGTHEN COASTAL LEADERSHIP**

Based on discussions with constituents who have urged the National Oceanic and Atmospheric Administration to increase its attention to critical ocean concerns, NOAA's Coastal Stewardship Task Force submitted a report to the agency's Administrator recommending that NOAA improve its national leadership and facilitate coastal stewardship.

"I will begin implementing changes based on input from both the Coastal Stewardship Task Force and our external partners," said NOAA Administrator D. James Baker on April 28th. "These changes will allow us to build on NOAA's strengths and increase our attention to critical ocean concerns."

As a first step, Baker reassigned the affected following personnel on June 2nd. **Dr. Stan Wilson**, assistant administrator for ocean and coastal zone management, will take on a new assignment to serve as senior advisor on ocean issues and as NOAA deputy chief scientist. Specifically, he will lead NOAA's participation in organizing and implementing its objectives in support of the United Nations' 1998 Year of the Ocean. Wilson will continue to serve as the U.S. delegate to the Intergovernmental Oceanographic Commission.

**Dr. Nancy Foster**, deputy assistant administrator for the National Marine Fisheries Service (NMFS), will assume the as-

sistant administrator responsibilities for Ocean Services and Coastal Zone Management. Foster's charge is to direct and implement the operational, structural and cultural organization changes necessary to strengthen NOAA's ocean and coastal programs.

**Dr. David Evans**, acting deputy assistant administrator for the National Ocean Service, will assume the responsibilities of deputy assistant administrator for NMFS. Dr. Evans' scientific credentials and management expertise provide an excellent foundation to contribute to important fisheries management issues and linkages to broader coastal responsibilities.

### **NOAA REOPENS SEARCH FOR EXPERTS TO PEER REVIEW RED SNAPPER RESEARCH IN THE GULF OF MEXICO**

NOAA is again searching for experts to serve on scientific peer review panels that will analyze current research and management of the red snapper fishery in the Gulf of Mexico, the agency announced May 5th. In addition, the agency is seeking individuals to present red snapper research to these panels. The deadline for nominations is June 4th.

NOAA's National Marine Fisheries Service is accepting nominations for independent experts who are not currently involved in the management of red snapper or have financial interest in the outcome of the reviews. The agency will select three qualified people to serve on the statistics review panel, three on the economics review panel, and four people for the science and management review panel.

### **JUDGE FINES MASSACHUSETTS FISH COMPANY \$4.3 MILLION; PERMANENTLY REVOKES FISH DEALER, VESSEL PERMITS IN NATION'S LARGEST FISHERY FRAUD CASE**

An administrative law judge has ordered more than \$4 million in fines and permanently revoked fishery permits held by two Cape Cod businessmen and various fishery corporations they own for violating federal fishing regulations, NOAA announced on April 3rd.

The decision in the massive fraud case was rendered by Judge Peter A. Fitzpatrick yesterday. It is believed to be the toughest civil penalty and permit sanction ever ordered in a domestic fishery violation case. The violations occurred in waters off New England, where severely depleted groundfish and scallop stocks are undergoing a rebuilding process.

In his ruling, Fitzpatrick stated that, "James G. Spalt and Peter Spalt can not be trusted to act within the confines of the law applicable to the fishing industry... Therefore, these individuals must be barred from the industry and thus deterred from ever repeating such illegal conduct."

"We had a strong case and are pleased that these individuals will no longer handle federally regulated species," says Mitch MacDonald, the lead attorney in the government's case. "The decision also puts anyone else committing wide-scale illegal acts on notice that when caught, they will be removed from the fisheries."

*Continued on page 12*

*Continued from page 11*

"Scallop and groundfish stocks are at very low levels right now, and sticking with regulations intended to rebuild them is critical to the long-term health of these fisheries," agrees Dr. Andy Rosenberg, Northeast regional administrator of National Marine Fisheries Service (NMFS). "The few people who choose to operate illegally can not be allowed to rob the people who are complying of the fastest possible improvement in the stocks," says Rosenberg, whose agency manages fisheries in federal waters.

The decision brings to a close more than two years of investigation and court proceedings. In April of 1995, NMFS special agents began an investigation of the Spalt enterprises. In April of 1996 based on that investigation, NOAA enforcement attorneys MacDonald and Charles R. Juliand charged Peter and James G. Spalt, various corporations owned by the brothers, and 12 of their captains with more than 300 violations of federal fishing regulations in the illegal harvest and sale of millions of dollars worth of fish and scallops. The agency sought various permit revocations and more than \$5 million in penalties. Charges in fishery violation cases are civil, not criminal. This finding can also be appealed in federal district court.

### **ENDANGERED SPECIES ACT WORKS TO PROTECT COASTAL COHO IN NORTHERN CALIFORNIA, OREGON**

In a decision that reflects the flexibility inherent in the Endangered Species Act to build on state-designed conservation plans, National Marine Fisheries Service on April 25th reached an agreement with Oregon and pledged to continue to work with California with the aim of protecting dwindling populations of coho salmon on the West Coast.

The fisheries service said it will continue to work vigorously with both states to support their salmon conservation efforts and ensure public participation in the coastal coho salmon rebuilding process through the states' management plans. The fisheries service has decided that the coho population group along the central and northern Oregon coast will be placed on the agency's "candidate species" list (a list of species that potentially may be classified as threatened or endangered in the future) and not be listed as threatened under the Endangered Species Act. The fisheries service said it would rely in part on Oregon's salmon plan to protect these coho.

Additionally, the fisheries service will list as threatened under the Endangered species Act a dwindling population of coho salmon that straddles portions of both Oregon and California, known as the transboundary population, and will prohibit "taking," with certain exemptions based on state conservation planning efforts. The fisheries service can forbid killing or harming a threatened species – activities known collectively as "taking."

### **TRANSBOUNDARY COHO LISTING**

The coho population found in southern Oregon and northern California, called the transboundary population, **has declined to six percent of its levels in the 1940s**, according to fisheries service biologists. A wide range of human-caused factors threatens this population including habitat degradation, harvest, and hatchery practices. These factors have been exacerbated by natural events such as drought, flooding, and poor ocean survival conditions.

In a significant step reflecting the flexibility of the Endangered Species Act to build on a state plan even when a listing takes place, Will Stelle, NMFS Northwest Regional Director, said that the fisheries service has decided not to apply the "taking" prohibition to certain activities in the Oregon segment of the transboundary population that is properly addressed by the plan.

"Our decision to list the southern runs of coho and still build the Oregon plan into the heart of the ESA recovery effort is clear evidence that the ESA provides a place for state conservation planning efforts regardless of whether the ultimate decision is to list or not to list. This is a major advance for the ESA program and for the Oregon plan," Mr. Stelle emphasized. The Oregon coast coho population runs from the Columbia River south to Cape Blanco, OR. The transboundary population runs from Cape Blanco to Punta Gorda, CA.

### **OREGON COAST COHO ON "CANDIDATE SPECIES" LIST**

In the central and northern Oregon coast, the fisheries service decided, at least for the immediate future, not to list as threatened what is known as the Oregon coast coho population. This decision is based on current population numbers and trends, and on firm commitments from the state of Oregon contained in its salmon conservation plan and a signed agreement that strengthens the working relationship between the state and the fisheries service regarding salmon conservation. "We are plowing important new ground here today," said Mr. Stelle. "Oregon's is by far the most comprehensive conservation plan any state has ever offered to protect a species proposed for Endangered Species Act listing."

"Oregon's plan, more than a year and a half in the making, has the backing of the state legislature, the support of private and public funding, including \$30 million from the legislature, and a signed commitment from the governor to strengthen it as needed over time," Stelle added. "It's a road map for salmon recovery in the West."

### **NEW DISCOVERY ANNOUNCED OF PLATE-TECTONIC STRUCTURES HIDDEN BENEATH ANTARCTIC ICE**

Using a new method of analyzing radar echoes, scientists have finally determined one of the final puzzle pieces that show how the present arrangement of continents evolved after the breakup of a single massive continent about 180 million years ago. The radar echoes have enabled scientists to "see" the so-called tectonic structure of fracture zones hidden beneath the sea ice off the shores of Antarctica,

*Continued on page 13*

*Continued from page 12*

according to an article in *Science* magazine by scientists from NOAA and the United Kingdom's Mullard Space Science Lab.

In a classic scientific detective story, Dr. Dave McAdoo of NOAA's Geosciences Lab and Dr. Seymour Laxon of University College of London sifted through hundreds of gigabytes of data to find evidence of the new plate, called the Bellinghausen Plate.

In the past two years, tremendous advances have been made in visualizing the geologic structures beneath the sea floor using high accuracy satellite measurements of the contour of the sea surface that reflect the underlying shape of the seafloor. However, data from the polar regions has been unusable up to now because of the interference of sea ice. McAdoo and Laxon developed a method involving the re-analysis of individual radar echoes to retrieve accurate height measurements even when sea ice was present.

The existence of the tectonic plate, active before 60 million years ago, has been theorized for many years, but until today there was no way to verify its existence or accurately visualize its contours. This result is likely to have a major impact on our understanding of the breakup of Gondwanaland and the tectonic evolution of Antarctica," McAdoo said.

## NOAA RECOGNIZES LOCAL ENVIRONMENTAL HEROES AS PART OF EARTH DAY CELEBRATIONS

NOAA on April 22nd presented a number of Floridians, Georgians, and Hawaiians with its Local Environmental Hero award as part of Earth Day 1997 celebrations across the United States.

For the second year in a row, NOAA recognized local citizens who have volunteered their efforts to "protect and preserve" the nation's environment. This year's awards focused on the marine environment in keeping with the International Year of the Coral Reef, which NOAA is spearheading along with other domestic and foreign organizations.

### FLORIDA

In Islamorada, Florida Keys, the environmental heroes being honored were:

**Laddie Akins** of the Reef Environmental Education Foundation (REEF), a non-profit organization headquartered in Key Largo, which is dedicated to protecting marine life through education, service, and research.

**Alexander Stone**, Executive Director of Project Reefkeeper, a non-profit conservation organization dedicated exclusively to the protection of coral reefs and their marine life.

**Paul Silverman** and **Fred Tooker** of Florida Bay Watch, a program established in 1993 currently boasting 200 volunteers who monitor the quality of Florida Bay.

**Sally Mishmash** of Coral Reef Sweepers, who coordinates a one-day reef cleanup effort bringing together commercial and recreational fishermen and charter boat captains and other waterfront professionals.

**Students Saving The Coral Reef**, composed of eight south

Florida students ranging in age from seven to 22, united in support of the Florida Keys National Marine Sanctuary.

**Enviro-thon Champions**, students of the Coral Shores High School Enviro-thon team who in 1996 won the state high school environmental enviro-thon competition.

### HAWAII

**Robert Lyn Nelson**, undoubtedly one of the world's most popular and critically acclaimed artists, has worked with NOAA many times - designing and donating his beautiful artwork. This year he created the spectacular poster *Rainforests of the Sea* in commemoration of the International Year of the Reef.

**Gloria Adlawan** has been a volunteer at NOAA's Humpback Whale National Marine Sanctuary since its inception. She's a retired nurse, born and raised on Maui. She lectures to visiting school groups on various environmental topics.

**John and Joan terHorst**, a husband and wife team, have been among the members of the sanctuary founding team. They recently built a humpback whale migration maze display being shown at the Lahaina Cinema Center. This maze is a life-size walk-through exhibit visited by more than 6,000 school children when it was last up on the island of Kauai.

**Gordon Moore and Jim Hylkema**, both retired, are also original members of the Hawaii Sanctuary volunteers. They have been instrumental in the drive to renovate the sanctuary's building and have spearheaded the effort for community involvement.

### GEORGIA

**Jack Elrod**, writer and illustrator of the syndicated comic feature "Mark Trail." Elrod has been associated with the comic feature for more than 40 years. Mark Trail has won more than 30 conservation awards. During the past 18 months, Mark Trail has featured NOAA programs or interests in 11 Sunday editions with at least two more due this spring. Elrod's Mark Trail is now the official "spokesman" for NOAA Weather Radio.

**Kathryn Williams**, president of the board of directors for the Tybee Island Marine Science Center, which is a non-profit organization sponsored by NOAA's Gray's Reef National Marine Sanctuary and the City of Tybee Island. Williams has directed the programs and operations of the center for the past five years. She has volunteered all her efforts leading to the development of the Tybee Island Marine Science Foundation, which supports year-round marine science classes for area schools, a summer Sea Camp, and a very successful guest lecture series.

## FEEDING AND HARASSING DOLPHINS IS HARMFUL AND ILLEGAL, NOAA WARNS

People who feed or swim with wild dolphins are in danger of harming the dolphins and themselves -- and those who feed or harass dolphins risk being fined for violating federal laws protecting dolphins, NOAA announced on May 16th.

Feeding wild dolphins has become an increasing and ongoing

*Continued on page 14*

*Continued from page 13*

ing problem since the late 1980's in many southeast coastal areas, including Florida, Texas and the Carolinas. Additionally, people are swimming with wild dolphins, which may harass the animals. Under the Marine Mammal Protection Act, it is illegal to feed or harass wild dolphins. Over the past several years, National Marine Fisheries Service has posted warning signs, distributed educational materials and produced a public service announcement to help educate the public and commercial operators about the harmful consequences of interactions with dolphins.

"It's very important for people to understand the harm they may cause to wild dolphins and themselves," said Dr. Nancy Foster, deputy director of the fisheries service. "Dolphins have a reputation for being friendly to humans, but the fact remains they are powerful, wild animals that can be very aggressive. We hope the public will support our new outreach initiative."

However, many people continue to feed and swim with dolphins, particularly in Florida's coastal areas around Ft. Walton Beach, Panama City, Sarasota, Melbourne and Key West. The fisheries service and local authorities will be stepping up enforcement in those areas in collaboration with the Florida Marine Patrol. Officials will also be distributing new educational brochures and posters that explain why interactions with wild dolphins are harmful.

"We are taking feeding and harassing of wild dolphins seriously. But before any direct enforcement action is taken, we need to impress upon people that interactions with wild dolphins are harmful to the animals and can also be harmful to humans.

People need to respect these animals in their natural habitat and let them stay wild," said Dave McKinney, chief of enforcement.

The fisheries service has contracted with the Florida Marine Patrol to provide additional enforcement and visibility for dolphin-related activities through the end of the year. In 1998, the fisheries service will commit an additional \$600,000 to fund six enforcement officers who will concentrate on protected species issues, including dolphin feeding and harassment.

The prohibition against dolphin feeding was enacted by the fisheries service in 1991. In 1993, this prohibition was upheld by the Fifth Circuit for the United States Court of Appeals. This decision overturned a lower court ruling that suspended enforcement of the prohibition. Violation of this regulation carries civil and criminal penalties with fines up to \$20,000.

The fisheries service has established guidelines for approaching dolphins in the southeastern United States. These guidelines recommend that boaters stay at least 45 meters from dolphins. "If a dolphin approaches you, we ask that you safely and slowly move away and not attempt an interaction," said Foster.

Foster said that feeding marine mammals alters their natural behavior. Instead of hunting for live fish, dolphins become accustomed to begging for food handouts from boaters. When

the food fed to dolphins is non-natural or contaminated, it can pose a serious health risk and even death to the animals.

Fisheries service officials have received reports of people feeding dolphins beer, hot dogs and candy bars -- items Foster called "totally inappropriate and harmful." Even more threatening is the danger that dolphins will become accustomed to people and lose the natural wariness that helps them survive as wild animals.

"When dolphins are begging for food, their natural behavior has been altered for the worse," said Trevor Spradlin, a fisheries service marine mammal biologist. "They will do dangerous things such as closely approaching moving boat propellers. There is a real concern that these dolphins are vulnerable to unsuspecting human abuse or shark attacks."

Dolphins fed by people are also in danger of being perceived as "nuisance" animals. Increasingly, recreational and commercial fishermen in Florida have complained that dolphins have learned to take fish off their lines. The fishermen are unable to catch the fish they want and the dolphins run the risk of ingesting baited hooks. Recently two young dolphins were found dead with hooks and fishing line in their stomachs.

## **NOAA NAMES PANELISTS FOR NATIONAL ACADEMY OF SCIENCES STUDY; ADVISORY PANEL TO CONSULT ON INDIVIDUAL FISHERY QUOTAS**

NOAA on May 22nd named a list of panelists to provide guidance to the National Marine Fisheries Service as it seeks public input in a National Academy of Sciences study on Individual Fishery Quotas. Future use of the Individual Fishery Quota (IFQ) as a management tool in selected fisheries will be the focus of the study by the National Academy of Science's National Research Council. The study will comply with provisions of the newly reauthorized Sustainable Fisheries Act as mandated by the U.S. Congress, and is due to Congress in October 1998.

Nominations to fill the two 15-member advisory panels were requested between Feb. 25 and April 14, 1997. One panel will serve as advisor for West Coast fisheries, the other for East Coast fisheries. Panel members will assist the fisheries service in evaluating the NRC study and in preparing the agency's response to the study once it is completed. Both the NRC and the fisheries service plan to hold public hearings on IFQs, and each advisory panel member will attend one of these hearings to ensure that the panels are represented in this process. (For a full list of panelists please go to the NOAA Legislative Affairs Homepage at <http://www.noaa.gov/noaa-ola>. Please click on NOAA Public Affairs link).

## **CLEAN WATER AND RESOURCE CONSERVATION RANK AS TOP CONCERNS FOR LOCAL GOVERNMENT**

Clean water is the number one concern among critical national issues for city managers across the country, according to a study released on May 23rd by NOAA. This study illustrates the importance of healthy coastal resources to our nation at the grassroots level," said Jeffrey R. Benoit, director of NOAA's Office of Ocean and Coastal Resource Management.

*Continued on page 15*

*Continued from page 14*

The study surveyed coastal county and city managers nationwide, and found that safe, clean water ranked number one among critical national issues. The conservation of natural resources ranked second, over energy supplies, infrastructure development and waste disposal.

The study compared the importance of coastal resources, such as clean water, to other local issues. Fifty-eight percent of city managers in the study ranked clean water as important as healthcare and 25 percent ranked clean water more important than healthcare.

Sixty-eight percent of city managers rated keeping ocean and other water bodies protected from pollution more important than reforming product liability laws. Ecosystem conservation rated more important than increasing the minimum wage for 54 percent of study participants and as important for 28 percent.

Population growth appeared to be the primary factor adversely affecting the health of the nation's coasts in the eyes of city managers. Seventy-nine percent reported that their local population has increased over the past 10 years.

Fifty-seven percent of managers in the study indicated that population growth had some adverse effect on coastal water quality. A full 50 percent of city managers reported that population growth had some adverse effect on coastal wildlife, and 58 percent indicated that population growth had adversely affected the entire ecosystem.

The survey also gauged local awareness levels of a state's coastal program, a national government partnership program under the Coastal Zone Management Act. The program helps states and U.S. territories resolve coastal resource problems and balance human uses of the coast with the needs of the resources themselves.

Sixty-three percent of city managers said their state had been very or somewhat effective in managing coastal resources, and the majority of managers indicated that coastal management policies had been effective in helping them manage coastal resources. Another fifty-eight percent of the managers in the study said their state had been very or somewhat effective in facilitating partnerships between levels of government.

"Over the past 25 years, the National Coastal Program has been about creating strong partnerships between levels of government," said Benoit. "We were delighted to learn that especially at the grassroots level, the Coastal Zone Management Act's partnerships are working and helping people resolve problems, like accommodating rapid population growth without losing clean water."

Congress passed the Coastal Zone Management Act in 1972. Currently 34 coastal states and U.S. territories participate in the voluntary partnership program, which uses national guidelines and state laws to balance use with conservation of coastal resources.

## HEARINGS

### NOAA SCIENTIST TESTIFIES AT HOUSE TUNA/DOLPHIN HEARING

The April 9<sup>th</sup> hearing was held by the House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee (Chairman James Saxton, R-NJ) on legislation to amend the Marine Mammal Protection Act (HR 408) to support the International Dolphin Conservation Program in the eastern Tropical Pacific. The legislation is supported by the Administration as it is the enabling legislation for the Panama Declaration signed by the U.S. and eleven other countries in 1995.

Dr. Elizabeth Edwards of the National Marine Fisheries Service's Southwest Fisheries Center in LaJolla, CA, testified for NOAA. She described declines in Eastern Tropical Pacific dolphins since 1960 ranging up to 80 percent of their historical abundance. However, "current levels of observed fishery-related mortality are quite low relative to current abundance." She noted that the bycatch of yellowfin tuna from schoolfish and logs sets (two methods of fishing) "is particularly unfortunate, because these small discarded fish are wasted resources that cannot subsequently grow to harvestable size." "The most ecologically responsible method currently available for effecting this harvest of yellow from the Eastern Tropical Pacific is the current situation, which would be continued and strengthened under this legislation (HR 408). Dr. Edwards said there was no data to substantiate concerns the mortality and reproductive rate for individual dolphins may be increased by tuna purse-seining.

### NOAA WEATHER AND SEA GRANT PROGRAMS SUPPORTED BY PUBLIC WITNESSES AT HOUSE SCIENCE SUBCOMMITTEE HEARING

The hearing was held April 9<sup>th</sup> before the House Science Energy and Environment Subcommittee (Chairman Ken Calvert, R-CA) on the proposed Fiscal Year 1998 NOAA budget. Although the subcommittee is officially charged with NOAA's atmospheric and weather programs, it has asserted jurisdiction over HR 437, the reauthorization of the National Sea Grant College Program.

On behalf of Sea Grant Association, its President-elect Christopher D'Elia testified. He strongly supported passage of HR 437 and asked that the program's authorization be extended to five years, instead of three years. The Association, he said, was "puzzled" by the Administration's proposed \$4 million cut in proposed Sea Grant funding. He is also director of the Maryland Sea Grant program. He noted that Japan and Europe are investing heavily in marine biotechnology. He cited several success stories such as saving Wisconsin \$430 million in removing contaminated sediments from Green Bay and saving Orange County, CA, taxpayers \$1.5 billion over 30 years by avoiding the need for an additional sewage treatment plant. Speaking for the California Sea Grant College Program—the largest program in the system—Dr. James Sullivan, Director, urged full reauthorization of the Sea Grant program. Sea Grant science has paid off for California and the nation that

*Continued page 16*



*Continued from page 15*

has led to "better, more cost-effective prediction of coastal erosion and storm damage from waves." Sea Grant was also critical to the creation of California's mariculture industry.

Representing private weather interests were Michael Leavitt representing the Commercial Weather Services Association and David Smith, Secretary-Treasurer of the National Weather Service Employees Organization. Mr. Leavitt told Chairman Calvert that NWS should only collect weather information and issue warnings, and leave specialized forecasts to the private sector. Rep. Mike Doyle (D-PA) asked about the letter signed by 29 past presidents of the American Meteorological Society letter protesting NWS cuts. Mr. Smith said NWS should be fully funded. He expressed concern about the cuts that NWS is forced to make and its impact on the airborne shipping industry which flies primarily at night such as FedEx. *Chairman Calvert praised NWS for the modernization program and its ability to provide longer warning lead times for tornadoes.*

### **NOAA FY '98 PROPOSED BUDGET PROMOTES NATION'S ENVIRONMENTAL AND ECONOMIC ADVANTAGE: NOAA ADMINISTRATOR**

Dr. D. James Baker, Under Secretary for Oceans and Atmosphere, testified on April 24<sup>th</sup> before the Senate Appropriations Subcommittee on Commerce, Justice, State, the Judiciary, and Related Agencies (Chairman Judd Gregg, R-NH). In his testimony, Dr. Baker said NOAA's \$2.1 billion FY '98 budget authority request "is predicated on the need to ensure the continued delivery of essential science, technology and services to the Nation." The request is a net increase of \$78.5 million over the FY '97 enacted level. The NOAA Administrator said "NOAA's FY '98 budget represents the most cost effective means to promote the Nation's environmental and economic advantage, while maintaining an appropriate balance among the environmental assessment and prediction and environmental stewardship needs of the Nation."

Dr. Baker said NOAA's work "affects the lives of nearly every citizen every day, thus NOAA's work represents a wise and appropriate investment by the taxpayer." NOAA, he said, "to identify and realize opportunities for savings...will continue to develop partnerships to leverage resources and talent, and provide the means for meeting program requirements more effectively." As an example, Dr. Baker, cited the success of the National Weather Service modernization program which should result in annual benefits to the economy of some \$7 billion.

### **DEPUTY UNDER SECRETARY JOSEPHSON TELLS SENATE GOVERNMENTAL AFFAIRS SUBCOMMITTEE HEARING THAT NOAA IS COMMITTED TO MANAGEMENT REFORM**

Deputy Under Secretary Diana Josephson on April 24<sup>th</sup> testified before the Senate Governmental Affairs Oversight of Government Management, Restructuring and the District of Columbia Subcommittee (Chairman Sam Brownback, R-KS). In her remarks, Ms. Josephson said under NOAA Adminis-

trator Dr. D. James Baker the agency has become "more streamlined and results-oriented." Ms. Josephson outlined management reforms, including:

—Reducing Costs and Improving Effectiveness such as proposing the termination of lower priority programs in the FY '98 budget resulting in a savings of \$15 million. Also, eliminating or streamlining 20 percent of NOAA's regulations.

—Reengineering of the National Weather Service. A 1992 study by the National Institute of Standards and Technology found that every dollar spent on weather service modernization provided eight dollars of benefits to the American taxpayers. The average lead time for tornado warnings has increased from five minutes in 1986 to 12 minutes in 1996.

—Shrinking the number of NOAA ships from 25 to 15 while moving to a mix of charter vessels, contracts for data, university ships, and NOAA ships. Eight and one-half million dollars has been made available for private sector chartering.

—Implementing National Performance Review and Streamlining recommendations including reducing the NOAA workforce by 14 percent by 1999, moving aeronautical charting to Transportation, merging polar satellites with Defense, disestablishing the NOAA Corps, and eliminating specialized weather services.

Representatives of the University National Oceanographic Laboratory System (UNOLS), the U.S. General Accounting Office, a private mapping and charting company and the Commercial Weather Services Association also testified.

### **DEPUTY UNDER SECRETARY URGES MODERNIZING NOAA'S NAVIGATION SERVICES**

Deputy Under Secretary Diana Josephson testified for NOAA at the House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee (Chairman James Saxton, R-NJ) April 24<sup>th</sup> hearing on NOAA's efforts to reduce "the current backlog of critical area surveys and out-of-date charts...." Ms. Josephson in written testimony said NOAA was converting to the use of computer-based charts. Because of a limited fleet and with surveying responsibilities in 5.1 million square nautical kilometers "NOAA has established criteria for identifying high-risk areas most in need of surveying." At present funding levels, it will take about 16 years to eliminate the nautical charting backlog in the continental U.S. and 34 years in Alaska. Eliminating the backlog by 2010 would require about \$43 million per year over present funding levels, Ms. Josephson said. Declining budgets have hampered the National Water Level Observation Network (NWLON) which provides the basis for making tide and tidal current predictions for specific ports and coastal regions, Ms. Josephson said.

### **PUBLIC WITNESSES SUPPORT NOAA'S PROPOSED FY '98 BUDGET**

The House Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Subcommittee (Chairman+ Harold Rogers, R-KY) scheduled an April 17<sup>th</sup> hearing where it heard from six organizations with an interest in the pro-

*Continued on page 17*

*Continued from page 16*  
posed FY '98 NOAA Budget.

o **Center for Marine Conservation (CMC)**, David Dickson, Director of Constituency Development, supported the Administration's request for marine conservation programs. "We also strongly urge the Appropriations Committee to allow the NMFS Office of Protected Resources to do its job in protecting threatened and endangered sea turtles from shrimp trawls. We ask the Committee to cease requiring the agency to waste precious resources by engaging in unnecessary activities as it has done in the last two fiscal years."

CMC made these points:

—National Marine Sanctuary Program. Increase of \$1.8 million (\$14.2 million requested).

—South Florida Interagency Ecosystem Restoration Initiative. Asks for full funding for the \$3.8 million NOAA portion. This will "allow NOAA to fully implement its integrated ecosystem monitoring program, in partnership with state and local agencies and academic institutions, in Florida Bay and the Florida Keys National Marine Sanctuary."

—The Control of Polluted Runoff to Coastal Waters. Urges \$4 million for the polluted runoff control program for coastal waters, section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA). The Administration has requested \$1 million and the program has been unfunded for the last two fiscal years. "Polluted runoff is the largest source of coastal pollution to the Nation's coastal water is responsible for beach closure and shell fish bed closures."

—National Marine Fisheries Service:

Resource Information. "We applaud the Administration's request for an additional \$1.67 million in funding to conduct research and develop technologies to deal with the critical issue of bycatch. However, we are concerned that this line item is underfunded in the budget request in light of the tremendous need for more timely stock assessments for marine fisheries and other living marine resource."

Fisheries Management Activities. "We support the Administration's requested increase of \$8.9 million for this line item...while we support the increases, we do question the decreases of \$550,000 proposed for International Fisheries Commissions and \$400,000 proposed for Pacific Tuna Management and urge the Committee to maintain funding at current levels."

Protected Species Management. "CMC appreciates the Administration's requested increase...but we feel these increases are inadequate...The agency states that for 80 percent of marine mammal populations it currently has insufficient information for which to make a negligible impact determination. Thus, NOAA has to set more conservative take levels than may otherwise be necessary and which place additional restrictions on commercial activities...We recommend that the Committee provide \$18 million for implementation of the Marine Mammal Protection Act to ensure adequate stock assessment and take reduction plan implementation."

Acquisition of Data. "CMC is very concerned about the Administration's six percent cut in the acquisition of data. We urge the Committee to reject this cut of \$1.74 million. It makes no sense to reduce days-at-sea of NOAA's fisheries research vessels when the agency is severely lacking data essential to the sound management of the Nation's living marine resources."

o **Coastal States Organization**, Eldon Hout, Chairman. Although the Administration recommended an additional \$1.5 million for national Coastal Zone Management activities "it will only partially cover actual costs thereby resulting in further reductions in State funding allocations in FY '98" with the FY '97 addition of Ohio and Texas to the program (with Georgia and Minnesota expected to join in FY '99.)

State Coastal Program Grants (Section 306). Recommends no less than \$49 million to be provided in FY '98...to provide adequate funding to incorporate four new states...In light of the growing demands on these coastal resource programs and the substantial economic return, this is a very modest request."

The National Estuarine Research Reserve System (NERRS) (Section 315). "The NERRS managers have identified \$7 million in basic funding which is necessary to maintain existing operations at the Reserves. CSO supports funding at the maximum level Congress can provide. "It is particularly important to restore full line funding for this program because revenue in the Coastal Zone Management Fund (in FY '97, the lion's share—\$3.3 million—came out of this Fund) is projected to decrease in the coming years and will not be available to offset any funding shortfalls. Congress should make available \$6 million for NERRS land acquisition and facility construction."

Coastal Zone Management Fund: CZMA Section 308. Supports President's request of \$7.8 million.

National Marine Sanctuary Program. "Recognizing the importance of the National Marine Sanctuary program to coastal resources and State economies, CSO supports \$15 million in appropriations for FY '98."

NOAA Coastal Services Center and Coastal Ocean Program. Both deserve at least level funding which is \$12 million and \$15.2 million respectively.

o **University of Miami**, Cyrus Jollivette, Vice President for Government Relations.

Supports \$6 million in the NOAA budget for the South Florida Initiative. "We would also recommend that targeted language be sought to ensure that the bulk of these funds be spent within Florida, through Florida entities, in collaboration with Florida-based NOAA officials (in Miami/Coral Gables).

Requests subcommittee endorsement for six initiatives through the University's Rosentiel School of Marine and Atmospheric Science in collaboration with NOAA. The initiatives include creation of a South Florida Ocean Measurements Laboratory using high speed fiber optic cables, using Doppler radar to measure ocean surface flows, operating a fisher-

*Continued on page 18*

*Continued from Page 17*

ies oceanographic vessel, further research on the recent discovery of an Everglades sand channel and its implications for the supply of phosphate into Florida Bay, and creating an Intra-American Sea Regional Global Ocean Observing System.

o **University Corporation for Atmospheric Research (UCAR)**, Dr. Richard Anthes, President.

National Weather Service (NWS). "In our judgment, the FY '97 \$42.2 million shortfall in base operating funds that the NWS is currently addressing will have profound effects on the ability of the Service to perform its essential mission. When the FY '97 shortfall is combined with inflation and Congressionally mandated pay raises, even the proposed restoration of \$10.8 million of base funds for FY '98 does not offset the erosion of local warning and forecast services and central forecast guidance activities."

The National Centers for Environmental Prediction (NCEP). "UCAR recommends that staff reductions in field offices and NCEP not proceed until all required facilities and capabilities in the approved modernization staffing plan are in place and fully operational."

Certification requirements under the National Weather Service Modernization Act (PL 102-567). "Needs to be streamlined to allow NWS management to reprogram fiscal and human resources to where such resources are most urgently needed...UCAR recommends that the NWS be authorized to close offices that are now outdated and be provided sufficient resources—human and fiscal—to staff all offices at the approved modernization level."

NWS training budget. UCAR recommends that NOAA restore the NWS training budget to at least \$16 million per year. "This education and training is essential since many new atmospheric sensors" require forecasters to understand unfamiliar complex, small-scale atmospheric processes.

Cost-of-Living Increases. Unfunded cost-of-living increases have resulted in NWS building in a staff of reduction of 150 employees per year. "UCAR strongly recommends NOAA and Congress to provide funding for annual cost of living increases, allowing NWS to maintain a high-quality, well-trained work force."

o **The Antarctica Project**, Beth Marks Clark, Director. Represents 13 environmental organizations in supporting an appropriation of \$1.2 million to support the Antarctic Marine Living Resources Program (AMLR), NOAA's (the National Marine Fisheries Service) directed research program. "Two years ago, NOAA contracted a Russian ship to support AMLR. NOAA will again need to charter a ship to support AMLR for the coming season...." Ms. Clark said: "The results of the research undertaken through NOAA's Antarctic Marine Living Resources Program have enabled the U.S. to argue persuasively for the adoption of conservation measures aimed at limiting the harvesting of exploited species," Ms. Clark said.

o **Commercial Weather Services Association**, Ms. Amy Taylor, Director of Congressional Affairs.

The National Weather Service (NWS) should shift funding allocations to core mission-- "The NWS should concentrate on providing these services, which include data collection, generation of a sophisticated suite of computer guidance models, and implementation of the latest forecast technology through the modernized field offices to generate public forecasts and emergency warnings of severe weather."

Eliminate specialized weather services from the budget-- "It is the policy of NWS not to provide any specialized services that would be in competition with the private sector...however, NWS expends tax dollars to violate this policy and render services daily that duplicate those being provided by the private industry." Cited were NWS Atlanta Olympic games forecasts and specialized aviation weather forecasts provided by the Federal Aviation Administration (FAA) (with NWS forecasters stationed at FAA field offices on a reimbursable basis).

Reinventing government recommendations--The Administration has identified \$47 million in budget savings over five years from privatizing specialized weather services. However, NOAA's only privatization initiative is for the Regional Climate Center Program which would save \$2 million. This is in addition to \$4 million in previous privatization savings.

### **ONE-THIRD OF MEMBERS TESTIFYING BEFORE HOUSE APPROPRIATIONS SUBCOMMITTEE PANEL SUPPORT FY '98 NOAA BUDGET WITH SOME U.S REPRESENTATIVES URGING INCREASES**

The nine Members supporting NOAA's budget testified on April 24th before the House Commerce, Justice, State, the Judiciary, and Related Agencies, Appropriations Subcommittee (Chairman Harold Rogers, R-KY). They represented one-third of all Members who testified. No other agency mentioned received this resounding endorsement.

A panel of five Members vigorously supported an increase of \$1.5 million over the President's request of \$13.5 million for the National Marine Sanctuary Program. Rep. Sam Farr (D-CA), chief spokesman for the group, said the funds are "are really a bargain for the taxpayer... it is a modest investment that will protect the nation's only marine protected areas for future generations." He cited his district's own Monterey Bay Sanctuary as "a key to my district's billion dollar tourism industry." He was joined by fellow California coastal Democrats Reps. Lynn Woolsey (Cordell Banks and Gulf of Farallones), Walter Capps (Channel Banks), Nancy Pelosi (Gulf of Farallones), and Texas Gulf of Mexico Democrat Nick Lampson (Flower Garden Banks). Freshman Rep. Capps said the Channel Banks Sanctuary "is critical to the protection of habitat" for endangered blue and humpback whales as they journey up the California coastline."

NOAA also received a strong boost from the Chairman of the Fisheries Conservatin, Wildlife, and Oceans Resources Committee, Rep. James Saxton, R-NJ. Rep. Saxton, who was warmly received by Chairman Rogers, urged that the National Undersea Research Program (NURP) be funded at \$18 million compared with the Administration request of \$5.4 million and the

*Continued on page 19*

*(Continued from page 18)*

current fiscal year spending level of \$12 million. The New Jersey Republican also urged that the Sea Grant program be funded at \$55.5 million. The current level of funding is \$54.3 million and the Administration request is \$50.1 million. Chairman Saxton said the Sea Grant increase was necessary because "the oceans are under tremendous stress because we have taken out (fisheries) resources for profit (and as a result) the northeast ground fishery has collapsed." Sea Grant provides the basic pillars necessary to make (allocation) decisions based on science, he said. Rep. Saxton also requested \$800,000 for a Rutgers University study on the relationship between bluefish and striped bass.

As a follow up to his subcommittee's hearing on NOAA's nautical charting capability earlier on April 24th, Chairman Saxton urged support for the Administration funding request for nautical charting. He said new technologies and satellites were being used by NOAA to map the ocean's floor. Chairman Rogers said he "enjoyed working with (Saxton's) subcommittee and acknowledged that NOAA "is a big part of our bill."

The Susquehanna River Basin Flood System Administration request of \$619,000 was criticized by Reps. George Gekas (R-PA) and Wayne Gilchrest (R-MD). Gekas supported increasing System funding of \$1.4 million compared with current funding level of \$1 million. Rep. Gekas said historically, ten percent of the nation's flooding took place in Susquehanna River Basin. Both said that the joint National Weather Service, Army Corps of Engineers, and U.S. Geological Survey program has "saved lives and saved property " during the last major flood in 1996.

Rep. Frank Pallone (D-NJ), a former Sea Grant extension specialist, urged that his former program be funded at least last year's level of \$54.3 million as opposed to the Administration request of \$50.1 million. He said Sea Grant was assisting 55 million Americans through research, education, and advisory services. The New Jersey Democrat specifically requested \$2.2 million of NOAA's Capital Assets Acquisitions Account be allocated for the National Marine Fisheries Service's Sandy Hook laboratory lease. The State of New Jersey receives this funding annually from NOAA to pay for the original construction which was state funded. Rep. Pallone fully supported funding for the Coastal Zone Management Act and specifically cited the need for \$4 million for the Coastal Nonpoint Source Pollution Program or Section 6217 of the Coastal Zone Management Act. He said the Administration had requested \$1 million for the program. He urged that NURP funding be increased to \$16 million or about \$10 million more than the President's request.

Also discussing the financing of fish labs was Rep. Farr. He said that the \$15.2 million request to finance construction associated with the move the Tiburon, CA, NMFS laboratory to Santa Cruz, CA, was insufficient. He said that actually \$19.15 million was necessary for constructing the lab including \$1.6 million for land acquisition costs and \$2.3 million for what he described as a seawater system. He

said the Santa Cruz site was ideal for the lab because it had a great collection of marine scientists.

An additional witness was Rep. James Greenwood (R-PA), who represents the outer Philadelphia suburbs. He said he was circulating a "Dear Colleague" letter urging \$700,000 for a National Research Council study of the National Marine Sanctuaries Program. He did not cite the source for the study idea, but extensively quoted Dr. Elliot Norse, President of the Marine Conservation Biology Institute.

## **MAINE DELEGATION OPPOSES PROPOSED RIGHT WHALE RULES AT PORTLAND HEARING**

The Senate Commerce Subcommittee on Oceans and Fisheries (Chairman Olympia Snowe, R-ME) held an April 26th field hearing in Portland, Maine, on the proposed rules to protect North Atlantic right whales. Previously, on April 7th, NMFS proposed regulations aimed at reducing serious injuries or mortalities to whales caused by entanglement in commercial fishing gear. It would also restrict the use of certain lobstering gear in critical habitat off the Northeastern coast. Dr. Nancy Foster, Deputy Assistant Administrator for Fisheries, testified for NOAA.

During their migration and summer feeding, these whales are passing through waters that contain many hazards, including fast moving large ships and fishing gear. There has also been a substantial increase in the amount of fishing gear in some areas, including for the lobster fishery in Maine. Recent reports from Maine Department of Marine Resources indicate that since 1980 the number of lobster traps in use in Maine has increased from about 1.6 million to about 2.7 million by 1995. Further, the average number of traps per boat has doubled in the past thirty years. Also testifying were Senator Susan Collins (R-ME) and Reps. John Baldacci (D-ME) and Thomas Allen (D-ME). The hearing was quite contentious, as the approximately 300 fishermen and industry representatives who attended raised their opposition to the proposed rules.

Although similar restrictions have been imposed off the Massachusetts coast, the debate has been much more intense in Maine, "where the lobster is far more important to the state's economy." Maine lobstermen supported by state officials say the NMFS' proposal, which would require lobstermen to use breakaway lines, is "unworkable and too expensive." Lobstermen argue the lines would snag on underwater rocks and break under the stress of normal sea activity, causing thousands of dollars in gear loss.

## **DR. BAKER TESTIFIES AT RESCHEDULED TUNA-DOLPHIN SENATE HEARING**

Dr. D. James Baker, Under Secretary for Oceans and Atmosphere, testified for NOAA at the May 14<sup>th</sup> Senate Commerce Oceans and Fisheries Subcommittee (Chairman Olympia Snowe, R-ME) hearing on proposed legislation to implement the Panama Declaration to conserve dolphins in the Eastern Tropical Pacific (ETP), the International Dolphin Conservation Program Act (S 39). In his written statement, Dr. Baker

*Continued on page 20*

*Continued from page 19*

said the Administration “strongly supports” the legislation. He said the bill “would protect dolphins and demonstrate U.S. recognition of the great strides harvesting nations have made in reducing the annual dolphin mortality by reopening the U.S. market to nations that continue to participate in the International Dolphin Protection Program (IDCP).”

In strongly worded language, the Under Secretary for Oceans and Atmosphere cautioned that the “failure to implement this agreement by denying passage of implementing legislation threatens the collapse of the existing IDCP and jeopardizes the international organization that has been essential for ensuring that the dolphin conservation concerns of this nation are being fulfilled in the ETP.” Also testifying for the Administration was Eileen B. Claussen - Assistant Secretary of State for Oceans, International Environment and Scientific Affairs. Other witnesses included bill opponents Democrat Sens. Barbara Boxer (CA) and Sen. Joseph Biden, Jr., (DE), James Joseph - director of investigations, Inter-American Tropical Tuna Commission; Suzanne Iudicello - vice president for programs and general counsel, Center for Marine Conservation; and Jeffrey R. Pike - coordinator, Dolphin Safe/Fair Trade Campaign.

### **SENATE SUBCOMMITTEE HEARING ON WEATHER SERVICE REDUCTIONS**

The Senate Commerce, Science, and Transportation Subcommittee on Science, Technology, and Space (Chairman Bill Frist, R-TN) held a May 15<sup>th</sup> hearing on proposed National Weather Service (NWS) and its National Centers for Environment Prediction (NCEP) budget cuts, reduction in staff, and the proposed closing of the Southern Region Headquarters (SRH) in Fort Worth, TX. In written testimony, Dr. D. James Baker, Under Secretary for Oceans and Atmosphere, said “the draw down of staff and reduction of activities was to be accomplished so as to minimize, to the greatest extent possible, impacts on NWS field offices (including River Forecast Centers), daily operations and continued implementation of the modernization.” He repeated Secretary of Commerce William Daley’s announcement restoring current year funds for the National Hurricane Center, Storm Prediction Center and Aviation Weather Center. The Under Secretary warned, however, that “any further budget reductions would directly jeopardize public safety, the protection of property and the most efficient conduct of commerce”.

Dr. Elbert W. Friday Jr., National Weather Service Director, in his written statement, described the cutbacks as “the most difficult time I have seen in my tenure with the NWS.” He said NWS will accelerate its planned closure of the SRH by one year, eliminating 61 positions at an annual cost savings of \$4 million.

Although the draw down of staff in central operations was designed to minimize impacts on field offices, “the permanent reductions to headquarters operations will affect the ability of the NWS to provide technical and operational support for NWS field operations,” he said.

Also testifying as “private citizens,” were NWS officials Dr.

Ronald McPherson (who had threatened to resign this summer unless the cuts are restored), Director of the National Centers for Environmental Prediction, and X. William Proenza, Deputy SRH Director. Also appearing before the subcommittee were Billy Wagner, Florida emergency management official, and Dr. Richard Hallgren, past President, American Meteorological Society and, Ocean City, MD, Mayor James Mathias.

Sen. Connie Mack (R-FL) expressed concerns about how budget cuts will affect hurricane warnings, especially the closure of the SRH. Chairman Frist emphasized the essential nature of NWS and how the agency needs adequate resources to perform critical activities. Sen. Paul Sarbanes (D-MD) stated that the budget cutbacks have eroded NWS’ ability to perform operational duties. He stated further that centralized operations in the National Capital Area are critical to mitigate weather-related disasters. He warned that it is just not an “headquarters,” but serves the entire nation.

Sen. Byron Dorgan (D-ND) asked about the Williston radar study, the Grand Forks floods, the reasons the NWS missed the Red River crest prediction and why the Army Corps of Engineers didn’t share information with NWS on its flood prediction model, which accurately predicted the exact level the Red River crested at Grand Forks. Sen. Kay Bailey Hutchison (R-TX) focused on the SRH closure. She asked whether the Southern region was unique in terms of severe weather events, how the closure would affect modernization and the alternate plan drafted last year by the regional directors that would allow the four mainland regional offices remain open, but with less people. Dr. Friday said he would prefer to keep all four mainland regional offices open for an additional year, but that he didn’t have a budget that allowed him to maintain sufficient staffing, a position now agreed to by the majority of regional directors.

Sen. Ernest Hollings (D-SC), Ranking Democrat on the Appropriations Committee, asked the reason for the NWS budget cuts. Dr. Baker responded that the cuts were from a variety of sources, including the Administration and the Congress.

### **NOAA FISHERIES PARTICIPATES IN JOINT HOUSE-SENATE HEARING ON COLUMBIA BASIN ECOSYSTEM MANAGEMENT**

The Senate Committee on Energy and Natural Resources Subcommittee on Forests and Public Land Management (Sen. Larry Craig, R-ID) and the House Committee on Resources Subcommittee on Forests and Forest Health (Rep. Helen Chenoweth, R-ID) held a joint oversight hearing on the Eastside and Upper Columbia River Ecosystem Management Project Draft Environmental Impact Statements (DEISs) on May 15<sup>th</sup>. Members of the Project’s Executive Steering Committee attended, with Bob Williams, Regional Forester, Pacific Northwest Region, of the U.S. Forest Service, delivering the Administration’s testimony. Executive Steering Committee member Will Stelle, National Marine Fisheries Service (NMFS) Northwest Regional Administrator, was present to answer questions.

*Continued on page 21*

*Continued from page 20*

The hearing on this controversial subject was attended by 12 Members of Congress (Sens. Frank Murkowski (R-AK), Larry Craig (R-ID), Dirk Kempthorne (R-ID), Slade Gorton (R-WA), Ron Wyden (D-OR), and Bob Smith (R-OR), Craig Thomas (R-WY), and Conrad Burns (R-MT) and Reps. Chenoweth, George Nethercutt (R-WA), Rick Hill (R-MT), and John Peterson (R-PA)). Most Members had serious reservations with the Project and asked very pointed questions repeatedly concerning 1) the estimated cost of the Project (between \$125 million and \$135 million a year for implementation), and funding spent to date; 2) the perceived lack of legal authority that would allow the agencies to undertake the Project; 3) the perceived lack of input by communities; 4) adding an additional planning level without a benefit; and 5) the possibility that the information in the Draft Environmental Impact Statement (DEIS) was fatally flawed.

Questions directed to Will Stelle mainly involved 1) the differences between the summer's draft version of the DEIS and the present DEIS, regarding the regulatory agencies' Environmental Species Act (ESA) concerns and changes; 2) if this Project would prevent the listing of additional species under the ESA, or help with consultations on already listed species; and 3) how private lands would be affected.

In his statement, Mr. Williams said the project covers 24 percent of the National Forest System including parts of Oregon, Washington, Idaho, Montana, Nevada, and Utah. One of the four factors initiating the plan, he said, was "how ecosystem health and anadromous fish populations can be more effectively addressed at this large scale." A scientific assessment found that "aquatic biodiversity has declined but opportunities exist for rebuilding quality habitat."

Mr. Williams discussed the selection of Alternative Plan 4 as the Preferred Alternative for both DEISs. The preferred alternative provides for the protection of fish, water quality, and restoration and maintenance of riparian functions in over 187,000 kilometers of streams and rivers, he said. The preferred approach is designed to resemble natural vegetative mosaics using prescribed burning and thinning to improve ecosystem health, Mr. Williams said.

### **SENATE COMMERCE COMMITTEE CHAIRMAN URGES DISPOSAL OF NOAA FLEET**

Sen. John McCain (R-AZ), Chairman of the Senate Commerce, Science, and Transportation Committee, urged the privatization of the NOAA fleet at a May 14<sup>th</sup> oversight hearing on Department of Commerce management issues. Ray Kammer, Acting Assistant Secretary of Commerce for Administration and Chief Financial Officer, testified on behalf of the Administration. Also testifying were Frank DeGeorge, Department of Commerce (DOC) Inspector General (IG), and L. Nye Stevens of the General Accounting Office (GAO).

Significant attention was paid to NOAA's management of fleet issues. Sen. McCain said there was "near unanimous" opinion from the IG, GAO, and the Appropriations Committee that NOAA should sell its fleet. Mr. Kammer responded that Secretary Daley would be reviewing the fleet issue as part of the FY 1999 budget

proposal. The current opinion of the Department is that the fleet is paid for and is the least expensive option. The RON BROWN, for example, operates for \$20,000 per day. A comparable University-National Oceanographic Laboratory System (UNOLS) ship costs \$23,000 per day. Mr. DeGeorge said that figure may hold for one ship, but not for the fleet as a whole. Mr. Kammer also referred to NOAA's experience in Long Island Sound, where the contractor required NOAA's assistance to meet performance requirements and has stated their actual costs are 50 percent higher than what they had bid. In addition, NOAA has had trouble finding vessels to conduct fisheries research and stock assessments. Mr. DeGeorge suggested that NOAA was not getting adequate responses because they were only offering short term contracts.

Mr. DeGeorge said NOAA's plans to convert the NOAA Corps to civilian status was not acceptable because it keeps ship operation billets, which should be eliminated. Only those billets paid for by NOAA line offices should be included in the plan. Mr. Kammer responded there was also agreement with the IG on the NOAA Corps; the intent is to convert 170 Corps Officers to civilian status and retire the remaining officers. Senator Conrad Burns (R-MT) was the only other Member attending the hearing. He expressed great frustration with the National Marine Fisheries Service's (NMFS) salmon recovery plans such as lowering reservoirs and said he would be looking at the NMFS budget from his seat on the Appropriations Committee. He said better oversight of NMFS was needed and that attempts by Congress to better direct their efforts are disregarded. Sen. Burns also expressed his view that NOAA's satellites should be given to the National Aeronautics and Space Administration.

## **LEGISLATION INTRODUCED**

Rep. Clay Shaw (R-FL) on April 8th, HR 1251 to make emergency supplemental appropriations for the National Weather Service, including the National Centers for Environmental Prediction.

Rep. Ken Calvert (R-CA) on April 10th, HR 1278 to reauthorize NOAA programs for Fiscal Years 1998 and 1999.

Rep. Ed Royce (R-CA) on April 14th, HR 1319 to dismantle the Department of Commerce, including NOAA.

Sen. Paul Sarbanes (D-MD) on April 17th, S 618 to restore the Chesapeake Bay.

Rep. Bob Livingston (R-LA) on April 29th, HR 1469 to provide emergency supplemental appropriations for Fiscal Year 1997.

Sen. Ted Stevens (R-AK) on April 30th, S 672 to provide emergency supplemental appropriations for Fiscal Year 1997.

### **LEGISLATIVE HOMEPAGE ON-LINE**

The NOAA Legislative Affairs homepage includes staff listings, hearing and markup schedules, official texts of delivered testimonies, transcripts of NOAA-related House and Senate floor debates and back issues of the *NOAA Legislative Informer*. The Homepage can be accessed at <http://www.noaa.gov/noaa-ola>

*Continued on page 22*

*Continued from page 21*

Rep. James Saxton (R-NJ) on May 8th, HR 1575 to limit vessels that may engage in the harvesting of Atlantic mackerel or Atlantic herring within the Exclusive Economic Zone.

Rep. Benjamin Cardin (D-MD) on May 13th, HR 1578 to restore the Chesapeake Bay.

---

## **LATE-BREAKING NEWS**

### **UNH AND NOAA ESTABLISH COOPERATIVE INSTITUTE FOR COASTAL TECHNOLOGY; SEN. JUDD GREGG CITED FOR HIS SUPPORT**

Officials with the University of New Hampshire and NOAA on May 28th announced a new cooperative institute aimed at fostering long-term conservation of the nation's coastal and estuarine ecosystems. Sen. Judd Gregg (R-NH), credited with obtaining the \$2.7 million in federal support for the Cooperative Institute for Coastal and Estuarine Environmental Technology (CICEET), looked on as UNH President Dr. Joan Leitzel and Dr. D. James Baker, Under Secre for Oceans and Atmosphere and Administrator of NOAA, signed the memorandum of understanding creating the institute.

The CICEET will be a national center for enhanced cooperation and collaboration among academia, the private sector, and federal, state and local governments. As chairman of the Senate Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Subcommittee, Sen. Gregg has supported the CICEET initiative based on the university's national stature and ground-breaking work in the field of environmental technology.

He also was instrumental in providing the \$8.5 million for construction of a new Environmental Technology Building at UNH, which will provide facilities for the institute and related programs. "We are grateful for Sen. Gregg's ongoing, active support of our research program here at the university," said Dr. Leitzel. "His vision in initiating the discussions leading to the creation of the institute is typical of his commitment to the university and its leadership role in environmental technology."

"It is only fitting that we enter into this cooperative venture at the Jackson Estuarine Lab, where the university, the state and NOAA have been working cooperatively for the past eight years to manage the Great Bay National Estuarine Research Reserve," Dr. Baker said.

"The Cooperative Institute brings science, technology and management together -- uniting the strengths of the public and private sector -- to create a greater whole toward preserving our nation's valuable estuarine environments," Dr. Baker added.

The CICEET -- overseen by UNH and NOAA co-directors -- will identify, monitor and reduce the impacts of contamination of coastal waters, using the Great Bay National Estuarine Research Reserve and the surrounding region, as well as other sites within the National Estuarine Research Reserve system

as laboratory areas for applied research, pilot projects and applications.

The National Estuarine Research Reserves were established 25 years ago to serve as natural laboratories for estuarine research and education. Today, NOAA and the states co-manage 21 estuarine reserves, protecting more than 450,000 acres of pristine coastal habitats. Don Sundberg, UNH vice president for research and public service, pointed out that the CICEET will provide the opportunity for the public and private sectors to work cooperatively in the environmental sciences, an area of vital interest to both parties.

"Private industry especially will benefit from the university's expertise in cutting-edge environmental technology," Sundberg said. Faculty from various disciplines -- represented by the College of Engineering and Physical Sciences and the College of Life Sciences and Agriculture -- will work with industry and federal researchers within the institute.

Comments or Questions:  
Please contact--NOAA's Office  
of Legislative Affairs

(202) 482-3638

FAX (202) 501-8016

Editor: Howard S. Marks

Internet: [howard.s.marks@noaa.gov](mailto:howard.s.marks@noaa.gov)